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A Study Of The Policies Of The United
States Toward Cuba Since 1898.

A STUDY OF THE POLICIES OF THE UNITED STATES
TOWARD CUBA SINCE 1898

BY

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B. A. Monmouth College, 1912

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A STUDY OF THE POLICIES OF THE
UNITED STATES TOWARD CUBA SINCE 1898.

CHAPTER I.

CUBA BEFORE AMERICAN OCCUPATION.

Before taking up a study of the policies of the United States in Cuba since 1898, it might be well to review briefly the attitude of our country toward Cuba before that time.

Columbus discovered Cuba, October 28, 1492, and took possession of the island in the name of the king of Spain. The important strategical position of the island made it a prize coveted by other nations and during the sixteenth and seventeenth centuries, various attempts to capture the island were made by French, Dutch, and British buccaneers.

It was not until 1762 when Spain and Great Britain were at war that Havana and other ports of Cuba were seized by the British. The treaty of peace, which was made the following year, restored the island to Spain.

The earliest defined policy of the United States was prompted because of jealousy of England and France. In 1808, Jefferson made the following statement:- "We shall be satisfied to see Cuba and Mexico remain in their present dependence, but very unwilling to see them in that of either France or England, politically or commercially. We consider their interests and ours as the same and that the object of both must be to exclude all European influence from this hemisphere."¹

1. Writings of Thos. Jefferson, P. L. Ford Edition, Vol. IX, 213.

In 1810, Madison, in a note to Pinckney said:- "The position of Cuba gives to the United States, so deep an interest in the destiny, even, of that island, that, altho they might be an inactive, they could not be a satisfied spectator at its falling under any European government which might make a fulcrum of that position against the commerce and security of the United States."^{1.}

This feeling of jealousy gradually developed and from the year 1822 to 1849, the dominant feature of our policy was a guarantee of Spanish sovereignty over Cuba.^{2.} In 1822, the Cubans being engaged in a revolution against the Spanish Government, asked the United States to promise them annexation to the Union, in case they won their independence. The United States Government, however, followed the advice of John Quincy Adams and adhered to a policy of strict moral duty to Spain.³ In 1825 the seizure of Cuba by Mexico and Colombia was prevented by the intervention of the United States in favor of Spain.⁴ In the summer of 1825 a French fleet appeared in the waters of the West Indies, and rumors spread that Spain was about to transfer the island to France. President Adams caused Clay to notify France that, "the United States could not consent to the occupation of Cuba and Porto Rico by any other European power than Spain, under any contingency whatever".⁵ In 1827 there was a strong probability that England and Spain would go to war, and so Mr. Everett, the American Minister to Spain, declared to the Spanish Government: "It is impossible for the United States to view with indifference these movements of the British Government, considering it, as they do, a settled principle

1. Writings of James Madison, Gaillard Hunt Edition VOL. VIII, 121.
2. For correspondence see: House Executive Document No. 121, VOL. XII, pp 1 - 59, 32 Congress, 1st session.
3. Ibid, p. 4.
4. Ibid, p. 18.
5. Moore, VOL. VI, 447.

that the island of Cuba must in no event and under no pretext, pass into the possession of, or under the protection of any European power other than Spain." Again in 1840 and 1843, the Government of the United States pledged the use of its military resources to maintain Spain in the possession of Cuba.

Proposals for an international guarantee of Cuba against the encroachments of nations, were made at various times. In 1823, the Canning - Rush negotiations brot forth a plan of guarantee, which was considered both in Washington and London, but the agreement was not made. A tripartite arrangement was proposed by Canning in 1825, by which the United States, England, and France were to guarantee the possession of Cuba to Spain. This plan also failed to meet the approval of all the parties concerned. Again in 1852, a tripartite arrangement was proposed to the United States by both England and France - the plan being, that all three nations should sign an agreement disclaiming all designs on Cuba "both now and hereafter". The United States Government did not feel called upon to go as far as that because, as pointed out by Secretary Everett, there were certain contingencies which might arise that would necessitate the purchase of Cuba by the United States.

Indeed this tripartite proposal was asking a great deal of the country which, but a few years earlier, during President Polk's administration, had offered Spain one hundred million dollars for the island of Cuba. This

1. Manning, W. R. "Statements, Interpretations and Applications of the Monroe Doctrine". Proceedings of American Society of International Law 1914, 55-56.
2. House Executive Document No. 121, Vol. 12, 37-40, 32 Congress, 1st session, 1851-52.
3. Moore, International Law Digest, Vol. 6, p. 386-97
4. Moore, International Law Digest, Vol. 6, p. 457-471.
5. Senate Document No. 13, Vol. 3, 32 Congress, 2nd session.
6. House Executive Document No. 121, Vol. 12, p. 49, 32 Congress, 1st session.

offer elicited a proud and Castilian reply - "It was more than any minister would dare, to entertain such a proposition.....such was the feeling of the country that sooner than see the island transferred to any power they would prefer seeing it sunk in the ocean".¹

After the admission of Texas in 1845 and the Mexican War 1846 - 1848, the foreign policy of the United States assumed a much more aggressive character and the old Cuban policy of guaranteeing the island to Spain, made way for an entirely^{new} attitude, - the aim of which was the acquisition of the island. The annexation of California in 1848 encouraged the interoceanic canal projects and enhanced the importance of Cuba to the United States.

A still greater influence arose in the southern states which demanded the immediate annexation of Cuba for the purpose of extending the slave territory. This movement was aided by some people in the North, who advocated the possession of Cuba for commercial reasons.² Naturally, the anti-slavery party in the North opposed the annexation of Cuba, but in spite of this, filibustering expeditions from the United States became very common. Narcisso Lopez was the leader of the filibusters. Twice a landing was effected on the island but no general rising followed, as Lopez had predicted.³ In 1851, Lopez lost his life, the leadership of the movement passed into other hands, and all subsequent efforts were in vain.

As factional strife over slavery grew, the annexation of Cuba became more and more a party issue. The success of the Democratic party in

1. House Executive Document, No.121, Vol.12, p.58, 32 Congress 1st session.
2. Benton, E.J. International Law and Diplomacy of the Spanish-American War, 16.
3. House Executive Document, No.19, Vol.3, 32 Congress, 1st session. Also No.115, Vol.12. Also Moore - International Law Digest, Vol.6, 57.

1852, committed its leaders to a renewal of the efforts to acquire the island. Attempts made for the purchase of the island had failed and the filibustering expeditions had come to naught. In 1854, it seemed as if the difficulty would be solved by the medium of war. The seizure of the "Black Warrior" an American vessel, by Cuban authorities, almost led to war between Spain and the United States. However, an apology from the Spanish Government prevented such a¹ result.

The next step made for the acquisition of Cuba was the so-called, "Ostend Manifesto". The ministers from the United States to England, France, and Spain - Messrs. Buchanan, Mason, and Soule, respectively - met in October, 1854, at Ostend, Belgium, and drew up a manifesto, in which they contended that the United States should offer to buy Cuba. If Spain refused to sell, the United States would then be justified in taking the island by force, in the interests of self-defense.² This document overstepped the bounds of public morality and international courtesy, and was promptly repudiated by the administration. The popular disapproval which followed the publication of the document in the United States revealed the fact that Cuba could not be taken by force with the support of the American people as a whole.

Final attempts at purchase were made by President Buchanan. In his second, third, and fourth annual messages, he appealed to Congress to make³ provision for the purchase of Cuba. The violent opposition of the Republicans to such a project, rendered the appeals futile.

During the Civil War the interest in Cuba was supplanted by the domestic conflict. With the abolition of slavery, all thot of annexing Cuba

1. Executive Document, No. 76 Vol. 10, 33 Congress, 1st session.
 " " , Vol. 11, 306-309 " " " "
 " " , No. 93, Vol. 10, " " 2nd ""
2. Executive Document, No. 93, Vol. 10, 122-139, 33 Congress, 2d session.
3. Richardson, J. L. Messages and Papers of the Presidents Vol. 5,
 513, 561, 643.

to increase the slave territory was abandoned.

After the Civil War the problems of reconstruction absorbed all the national energies in the United States and little interest was taken in Cuban affairs until the insurrection of 1868-1878. An ineffective and extremely corrupt government had been responsible for a series of Cuban revolutions beginning early in the nineteenth century. When Spain received a liberal constitution in 1812, a liberal form of government was promised the Cubans, but the constitution never went into full effect. A royal order of May 28, 1825,¹ which gave the captain general absolute power, became Cuba's only constitution. Spain often made promises for reform but the step was postponed from time to time. "Procrastination and delay have been the notes of Spanish diplomacy and politics".²

It has been said that Cuba had far more cause for revolution than had the American colonies in 1776. Life, liberty and property had been subjected to the will of the captain general. Insurrections had broken out, one after the other, during the first half of the nineteenth century. Finally in 1868 a revolution began which was bitterly carried on for ten years. Some of the Cubans fought for independence, others for annexation to the United States, and a third group fought to compel the Spaniards to grant reforms. The war was confined almost wholly to the eastern provinces and was characterized by horrible and cruel methods practiced by both sides. President Grant tried, at the beginning of his administration, to mediate between Spain and the insurgents by offering a set of proposals which might bring about a cessation

1. Senate Report, 1160 Vol. 1, 49, 54th Congress, 2d session.

2. Callahan, J.M., Cuba and International Relations, 16.

of hostilities.¹ Spain, however, made other proposals, so the attempt ended
in failure.²

Great sympathy for the insurgents was manifested by many people of the United States and great pressure was brot to bear upon President Grant to force a recognition of belligerency in favor of the insurgents, but this was not accomplished.³ The Virginus affair of 1873 threatened, for a time, to be the occasion of intervention in Cuba and war against Spain. A steamer sailing under American colors was captured by the Spaniards and fifty prisoners including American, British, and French subjects, were executed in spite of the protests of the foreign consuls. Satisfactory settlement was made by Spain and the revolution continued.⁴

1. Richardson, J. D. Messages and Papers of the Presidents Vol. 7, 32.
2. House Executive Document 160, 1 and 10. 41 Congress, 2d session
Proposals of the United States to Spain were:
 1. That Spain acknowledge the independence of Cuba.
 2. That Cuba pay Spain a sum to be agreed upon; future payments to be secured by pledge of export and import duties.
 3. That the slaves in Cuba be emancipated.
 4. That Spain grant an armistice pending the final settlement.
 The Spanish proposals in reply were:
 1. That the insurgents lay down their arms.
 2. That Spain grant simultaneously a full and complete amnesty.
 3. That the people of Cuba vote by universal suffrage upon the question of independence.
 4. That if the majority declared for independence, Cuba compensate Spain by a satisfactory payment guaranteed by the United States.
3. Moore, J. B. International Law Digest Vol. 6, 61-84.
4. House Executive Document 30. 43d Congress, 1st session. Also Richardson, J. D. Messages and Papers of the Presidents Vol. 7, 256-8

President Grant renewed his efforts to settle the Cuban trouble but without success. Finally in 1875, Mr. Fish, Secretary of State, proposed joint intervention to the great powers of Europe, but England thot the time for
1
intervention to be inopportune and the plan fell thru.

At last in 1878, the insurgents laid down their arms and accepted the proposals offered by the home government. The usual Spanish characteristic of delay was manifested in establishment of the reforms promised, and even when changes were proclaimed, they were found to be superficial. The suffrage was so limited that the mass of Cubans could not vote; authority in the island fell into the hands of the Conservative Spanish party, members of which controlled the revenues for their own benefit. The former revolutionists maintained their organization as a liberal party and awaited their opportunity. They had learned by bitter experience that Spanish promises were not to be trusted and that future fighting must be for independence.

In 1885 Cuban slavery which had been one of the causes for complaint by the United States against Spain, was abolished by a process of gradual emancipation. The earlier emancipation of slaves in the United States had removed one of the motives for the annexation of Cuba, so from 1865 to 1898, our national policy was limited to efforts to encourage reforms and secure
2
closer commercial relations with the island.

The abolition of slavery in Cuba constituted the only important reform since the Ten Years War. The depressing colonial abuses remained, the captain general still retained his arbitrary authority, no legislative assembly existed, and the representation in the Spanish Cortes was farcial. It has

1. Moore, J.E. International Law Digest, Vol.6, 92-105.
2. Benton, E.J. International Law and Diplomacy of the Spanish-American War 18.

been estimated that the Spanish office-holders took from forty to fifty per cent of the Cuban revenues, - the annual average of which amounted to twenty five million dollars for the years 1893-1898. Ten million five hundred thousand dollars was used to pay the interest on the Cuban debt which amounted to three hundred million dollars in 1897. Twelve million dollars was expended on the church, state, Spanish army and navy in Cuba. Two million five hundred thousand dollars was devoted to education, public works and general improve-

¹ ment. The reciprocity agreement which Spain had negotiated for Cuba in 1891, was terminated in 1894 and the United States, the natural market of the island, was closed. The old system of discriminating duties against foreign trade, was again installed and Cuba was forced to trade with Spain. High duties on sugar, coffee, and tobacco imported into Spain, closed the only remaining

² market. Wheat from the United States to Cuba had to pass thru the ports of Spain, pay the duty, and then come back to Cuba. These were some of the ³ abuses which may well be named as the causes for the Revolution of 1895.

1. Ibid 21-22.

2. Cuban Census for 1899. War Department.

3. A brief and comprehensive summary of the causes may be found in a letter written by Tomas Estrado Palma to Richard Olney, December 7, 1895: "The causes of the insurrection of 1895 are substantially the same as those of the former revolution of 1868-1878; and terminating only in the representation of the Spanish Government, that Cuba would be granted such reforms as would remove the grounds of complaint on the part of the Cuban people. Unfortunately the hopes thus held out, have never been realized. The representation which was to be given to the Cubans has proven absolutely without character; the offices in the island have increased but the officers are all Spaniards; the native Cubans have been left with no public duties whatsoever to perform, except the payment of taxes to the government, and blackmail to the officials, without privilege even to move from place to place in the island except on the permission of governmental authority. Spain has framed the laws so that natives have substantially been deprived of the rights of suffrage. The taxes levied have been almost entirely devoted to the support of the army and navy in Cuba, to pay interest on the debt that Spain has saddled on the Island and to pay the salaries of the vast number of Spanish office-holders,devoting

For many years, the Cuban leaders had been organizing revolutionary clubs in the island and in the larger American countries, one of the strongest of these societies having its headquarters in New York City. Funds had been collected and finally in 1895, preparations having been completed, the insurgents took up arms under the leadership of Maximo Gomez. Guerrilla warfare in its worst form was practiced by Cubans and Spaniards alike. Cuban juntas operated on American soil, supplies were forwarded to the island, and American adventurers stole away to join the insurgents. American public opinion favored the revolutionists which made it particularly hard for President Cleveland to enforce neutrality. He was able to stop many of the expeditions but there were a goodly number who succeeded in evading the authorities and landing in Cuba. The Spanish General, Campos, whose policy was more pacific than the Spanish Government desired, was recalled early in 1896 and General Weyler succeeded him. Weyler immediately issued an order of 'reconcentration', commanding the inhabitants in certain parts of the island to move to garrison districts, and forbidding them to travel without written permission. Spain tried to justify this edict as necessary to meet the methods of the guerrillas but all her restrictions failed to accomplish the desired results.

only \$746,000 for internal improvements out of the \$26,000,000 collected by tax. No public schools are within the reach of the masses for their education; all the principal industries of the Island are hampered by excessive imports. Her commerce with foreign countries has been crippled in every possible manner, as can be seen by the frequent protests of ship owners and merchants. The Cubans have no security of person or property. Judges are instruments of the military authorities. Trial by military tribunals can be ordered at any time at the will of the captain-general. There is, besides, no freedom of speech, press or religion." Senate Document No. 231, Part 7, 96, 56th Congress, 2nd session.

In spite of the popularity of the Cuban cause in the United States, and the attitude of Congress, President Cleveland was firm in maintaining neutrality. His successor, President McKinley, adhered closely to the pacific policy during the year 1897.

In Spain the liberal Sagasta was made leader of the ministry and thru his influence, General Weyler was recalled and a scheme of Cuban autonomy¹ was offered by the Spanish Government. In his first annual message, President McKinley advised Congress to take no action regarding Cuba, until it was known what effects would follow these concessions.² The proposals, however, were rejected by the Cubans who had lost all faith in Spanish promises.

Early in February, 1898, the publication of a private letter from Señor de Lome, the Spanish Minister at Washington, describing McKinley as a "weak and would-be politician", only served to enhance the indignation of the American people.³ The Spanish minister was recalled but this did not allay the feelings of the American people.

A few days later, on the fifteenth of February, the destruction of the "Maine", an American war vessel in the harbor of Havana increased the tension between the United States and Spain to the breaking point. Investigations were made: one by the United States and one by Spain; the United States investigating committee reported that the explosion was due to external causes, while the Spanish committee maintained that internal conditions had caused the disaster.⁴

It might be said, by way of explanation that, besides the insistent popular sympathy for Cuba and the favorable attitude of Congress toward the

1. House Document Vol.1,616, 55th Congress, 3rd session.
2. Richardson, J. D. Messages and Papers of the Presidents, Vol.10,134.
3. Moore, J. E. International Law Digest Vol.6,176.
4. Ibid. 181-4.

island, there was a small but extremely influential American group, composed of business men who had property interests in Cuba:- plantations, railroads, and mines estimated to be worth about fifty million dollars.¹

President McKinley resumed negotiations and suggested an armistice.² Sagasta replied that an armistice would be granted if the Cubans asked for it. The American minister assured the Spanish Government that the Cubans would never accede to such a demand. Finally on April 10th, the Spanish minister sent word to Mr. Sherman, Secretary of State, stating that authority had been given General Blanco to proclaim suspension of hostilities in Cuba and that the Cubans would obtain whatever they might justly desire, within the bounds of reason and of the national sovereignty.³ These concessions by Spain were too late. Already a special message to Congress had been prepared by President McKinley and it was delivered the day following the receipt of the Spanish note. The message contained a complete review of the situation in Cuba and concluded by asking Congress, "to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes".⁴

1. Richardson, J. D. Messages and Papers of the Presidents, Vol. 9, 718. Moore, J. B. International Law Digest, Vol. 6, 121.
2. Propositions made by Spain. Moore, J. B. International Law Digest, Vol. 6, 198.
3. Ibid. 208-210.
4. Ibid. 211-223.

In response to this, the Congress of the United States adopted¹
the following joint resolution on April 20, 1898.

Whereas the abhorrent conditions which have existed for more than three years in the island of Cuba, so near our own borders, have shocked the moral sense of people of the United States, have been a disgrace to Christian civilization, culminating as they have in the destruction of a United States battleship with two hundred and sixty six of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited. Therefore, Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, FIRST: That the people of the island of Cuba are and of right ought to be free and independent. SECOND: That it is the duty of the United States to demand and the Government of the United States does hereby demand that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba, and Cuban waters. THIRD: That the President of the United States be and hereby is directed and empowered to use the entire land and naval forces of the United States and to call into actual service of the United States, the militia of the several States, to such extent as may be necessary to carry these resolutions into effect. FOURTH: That the United States hereby disclaims any disposition or intention to exercise sovereignty, or control over said island except for pacification thereof and asserts its determination when that is accomplished to leave the government and control of the island to its people. (This point was added and was known as the Teller Resolution].

1. Senate Document No.312,5, 58th Congress, 2d session.

Five days later war was formally declared against Spain. It is hardly necessary to take up the details of this war. The brilliant victory of Dewey in the battle of Manila Bay on the second of May, showed clearly the¹ hopelessness of the Spanish cause. The other important feature of the war was the surrender of the city of Santiago, Cuba. The Spanish fleet, seeking to escape from Santiago harbor, on July third, was utterly destroyed by the American blockading force. The city was then invested by land forces and on² July fifteenth it surrendered. Other operations in Cuba were slight and on August 12, 1898, three months and seventeen days after Congress had declared war, a protocol was entered into between the United States and Spain, providing³ for the making of peace.

On December 10, 1898, there was signed in the city of Paris a⁴ treaty of peace between the United States and Spain. The first article of the treaty especially concerns us and was as follows:- ARTICLE I. "Spain relinquishes all claims of sovereignty over and title to Cuba and as the island is upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law, result from the fact of its⁵ occupation for the protection of life and property".

1. Chadwick, F.E. The Relations of the United States and Spain; The Spanish War. Vol. I. Chap. 6.
2. Ibid. Vol. II. Chap. 7 - 11.
3. Senate Document No. 312, 5, 58th Congress, 2d session.
4. House Document, No. 616, 831, 55th Congress, 3d session.
5. Ibid.

CHAPTER II.

THE AMERICAN OCCUPATION.

On January 1, 1899, the Spanish troops evacuated Havana and the government of the island of Cuba was transferred to a military governor, General Brooke, as the representative of the President of the United States.

It is not the purpose of this chapter to give in detail the work of the Military Government. Such a task would be impossible in so short a space. A brief outline of the work taken from the reports of the Military Governors, will be given in order to show what the policy of our Government was, during this period. The topics may be classed in the following divisions -

- I. Conditions in the island at the beginning of the Military Occupation.
- II. The Cuban Army.
- III. The Census and the Municipal elections.
- IV. Sanitation.
- V. Prisons and Courts.
- VI. Education.
- VII. Hospitals and Charities.
- VIII. Public Works.
- IX. Miscellaneous.

It might be well to state here that in February, 1899, the American Congress passed a bill, known as the Foraker law, prohibiting the granting of franchises or concessions during the period of American occupation. This was to prevent promoters and speculators from taking advantage of the island, which was so generally destitute of those institutions known as "modern improvements". During the occupation, the Military Government alone, was to have full charge of all plans for the betterment of the island.

I. The conditions prevailing at the time of the transfer are described by Secretary Root in his annual report for 1899 as follows:- "The retiring army left a large Spanish population and the long war for independence had engendered and excited a bitter feeling between them and the Cubans. The country had long been with little governmental control except that exercised in the immediate neighborhood of the troops, who were about departing. The ordinary social restraints had been destroyed, the cities were crowded with thousands of refugees and reconcentrados who were exasperated by suffering and the death of their families and friends and it was deemed necessary to take especial precautions for the prevention of riot and bloodshed at the time when Spanish control was removed. It is gratifying to note that the transfer was accomplished with entire harmony and without disorder, the troops of the United States replacing those of Spain step by step, as the latter retired, until a complete substitution was effected".

II. One of the first problems to arise was that of the condition of the soldiers of the Cuban Army who had for a long time been separated from

1. Congressional Record, Vol.32, Part 3, 2812.

2. Senate Document No.312, 6, 58th Congress, 2d session.

the ordinary occupations and who at the end of the war were left without homes, work or prospect of pay from any source. Finally arrangements were made by the Military Government, so that the army was to receive a part of the money due them. Seventy-five dollars was paid to each Cuban soldier on the depositing of his arms. Two million five hundred forty-seven thousand seven hundred fifty dollars were paid out in this way and when the payment was completed, the Cuban¹ army disbanded.

III. The purpose of the Military Government, as expressed in the orders of the Military Governor, was to prepare the people of Cuba for self-government and to establish conditions which would render the establishment of a Cuban republic possible and its orderly and successful maintenance probable.² The general administration was conducted by officers of the United States army under the direction of the Military Governor and the department commanders. The municipal governments were to be put in charge of the Cubans themselves. In order to do this, it was necessary to ascertain the population of the several provinces and to find out the educational and other qualifications of the inhabitants, so that the representation and privilege of franchise could be fixed³ accordingly. The Cuban census was then taken. The treaty of peace provided that Spanish residents in the island might maintain their Spanish citizenship by filing a declaration of intention so to do prior to April 11, 1900. Therefore an election could not be held until after that date. In view of the fact that sixty-six per cent of the inhabitants were illiterate, it was decided in full conference with the leading Cubans, that there should be certain restrictions placed upon suffrage. The terms finally agreed upon were that every male

1. Senate Document No. 312, 21, 58th Congress, 2d session.
2. Wood, L. "The Military Government of Cuba". Annals of American Academy of Political and Social Science 1903, Vol. 21, 153.
3. War Department - Cuban Census, 1899.

Cuban or Spaniard of full age who had elected to take Cuban citizenship, might vote if he could either read or write, or owned real estate or personal property to the value of Two hundred fifty dollars, or had served in and been honorably discharged from the Cuban army.¹

On April 18, 1900, an election law was promulgated for the regulation and control of the proposed municipal elections. An election was held June 16, 1900, at which the Cuban voters elected all their municipal officers. The registration and election boards were composed of Cubans, selected by the Cubans themselves. No United States soldiers or officers were present at or near the polling places and the elections passed without any disturbances.²

IV. In the meantime, the work of the Military Government was being carried on. The work began in the city of Santiago, immediately after its surrender, July 15, 1898. It was carried into the province of Santiago and after the transfer of the island to the American Military Government, spread into all parts of the island.

The first task undertaken was the distribution of food to the destitute Cubans. It was necessary to continue this for some time because many of them at the close of the war were homeless and without occupation, while others were sick and unable to work. Consequently the distribution of food amounted to one million four hundred seventeen thousand five hundred fifty-four dollars.³

Yellow fever, malaria, tuberculosis, small pox and other diseases were prevalent, the first and second being considered the most dangerous. The sanitary conditions were extremely bad, so steps were taken to clean the cities

1. Senate Document No. 312, 7, 58th Congress, 2d session.

2. Ibid.

3. Ibid. 21.

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and towns and in that way stamp out the dread diseases. The malarial fever was soon well under control and ceased to be a serious cause for alarm, but the fight against yellow fever, did not, at first, meet with the same success.² It had been thot that it was a filth disease due to unsanitary conditions but the city of Santiago had been made as clean as a city could be kept and in spite of this fact, a most dreadful epidemic of yellow fever had broken out in the summer of 1899. Great care was taken to isolate all persons having the fever and the city was disinfected many times. Gradually the disease was checked³ and later disappeared, for a time.

In the following winter, after the arrival of twelve thousand Spanish immigrants in the city, there was another serious outbreak of yellow fever, which increased in the spring and summer of 1900. There were approxi-⁴mately fourteen hundred cases during that summer. This condition in a perfectly clean city proved to those in authority that yellow fever could not be controlled simply by cleaning and disinfecting methods. A scientific investigation was undertaken by Doctors Reed, Carroll, and Lazaer. It was found, after many test cases,⁵ that the Stegomyia mosquito was the means of transmitting the yellow fever germ. An entirely new method was inaugurated for dealing with yellow fever cases. Patients were carefully isolated in premises enclosed with fine screen wires and further precautions were taken to prevent the⁶ mosquitos from coming to them. In this way, the fever was checked and brot

1. Civil Report, Major General Wood. 1900, Vol.4, 4-8.
2. Wood, L. "The Military Government of Cuba". Annals of American Academy of Political and Social Science. Vol.21, 168.
3. Ibid.
4. Ibid. 169.
5. Civil Report of Major General Wood. 1900, Vol.4. Article on "Sanitation and Yellow Fever". Also 1902, Vol. 1, Sanitary Department of City of Havana. (No pagination).
6. Wood, L. "The Military Government of Cuba". Annals of American Academy of Political and Social Science. Vol.21, 171.

to an end at the time of year when it was usually on the increase. Thus the disagreeable and costly process of disinfection formerly in use was made unnecessary. The importance of this investigation is to be seen in the decreased death rate of the island and in the fact that the island is no longer subject to the dread disease.¹

V. It was discovered that the prisons needed prompt attention. They were found to be full of prisoners, who had been held, in some instances, for years, awaiting trial. Investigation showed that there was little evidence against most of them; they had apparently been forgotten. A commission was appointed, careful investigations were made, with the result that about six hundred individuals were released.² The sanitary conditions were found to be exceedingly bad; youths and adults were huddled together, those awaiting trial were kept in the same cells as those who had been convicted. Every effort was made to improve the sanitary conditions and proper separation of the prisoners was made.³ Instruction in elementary education was established in the larger prisons.

The real cause of the deplorable conditions in the prisons was the indifference and negligence of the courts. So reform was made in this branch of the government. The fee system was done away with and all court officers were put upon a fixed salary. Negligent and dishonest judges were removed. Court records were indexed, arranged, and carefully stored. The administration of justice was made prompt so that it became more prompt than in most parts of our own country. Police courts, much like our own, were established in the cities and larger towns and these took care of the many minor cases.⁴

11 Wood, L. "The Military Government of Cuba". Annals of American Academy of Political and Social Science. Vol. 21, 171.

2. Ibid. 157.

3. Civil Report, General Wood 1902 vol. 1, 187-188.

4. Annals of American Academy of Political and Social Science, Vol. 21, 158-160.

VI. The public school system in Cuba under Spanish rule was, so far as could be learned from records and observation a system in name only. There were practically no separate school buildings and the pupils met in the residences of the teachers. There were very few books and no equipment.

During the administration of General Brooke, an allowance of fifty dollars per school room was made to the different municipalities for the temporary establishment of municipal schools.¹

Under the direction of Governor General Wood, a new school law was drawn up by Mr. M. E. Hanna. The island was divided into districts, a school census was taken, and an electoral law for local school officers was enacted.² Equipment for schools was provided, the first order for one hundred thousand complete sets of equipment amounting to a cost of three fourths of a million dollars. The attendance increased until in the last year of the occupation there was a total enrollment of two hundred fifty-six thousand, an average enrollment of one hundred sixty thousand, while the average attendance was approximately seventy-eight per cent of the average enrollment.³

Provisions for higher education in Cuba were found in a university at Havana and six "institutos" or high schools, one at the capital of each province. The university had an over supply of professors, some without any students at all, while the general equipment was almost worthless.⁴ The same was true on a smaller scale, of the "institutos". Under the American regime many reforms were made. All those who wished to teach in these institutions were obliged to take a competitive examination and in that way, only efficient teachers were employed. New laboratories were established with the best

1. Civil Report, General Wood 1900, Vol.1, 118.

2. Ibid. 161-162.

3. Annals of American Academy of Political and Social Science, Vol.21, 163.

4. Civil Report, General Wood 1900, Vol.1, 103-115.

obtainable apparatus and for the first time in the history of the university an opportunity was given the students to do modern scientific work in their own country.

Free schools in business training¹ were maintained in Havana and Santiago and also a school of arts and trades.

VII. The hospitals were found to be inefficient and badly managed. Large temporary hospitals were established during the epidemics. Later first class permanent hospitals and training schools for nurses were established in the cities and large towns of each province.

Many asylums for orphans and destitute children were opened in all parts of the island. Gradually many of the children were returned to relatives² and others were placed in families.

The insane were found to be in a most dreadful condition and so they were assembled in the State Hospital for the Insane in Havana where they³ were humanely and properly treated.

VIII. A new law of Public Works was written and the island was⁴ divided into six provincial public works districts. The principal work was road and bridge building for the purpose of opening up connection with the rich agricultural districts. The harbors were improved, light houses built, school⁵ houses and hospitals erected and other public buildings were repaired.

Altho not under control of the Military Government, it might not be out of place here to tell of the organization of the post office department. Over three hundred post offices were established in the island. It was in this

1. Annals of American Academy of Political and Social Science, Vol. 21, 166.
2. Civil Report, General Wood, 1900, Vol.1, 22-35.
3. Ibid. 166-172.
4. Ibid. 32-35.
5. Ibid. 173-196.

department that there occurred a serious and thoroughly disgraceful scandal. Charles W.F. Neely, chief financial agent of the post office department in Cuba was found guilty of embezzlement of funds from the department, to the amount of \$105,000. Corydon Rich, Neely's assistant, who was also implicated in the affair made a confession and enabled the authorities to recover \$5,000 of the stolen money. The Cuban post office department was under control of the post office department at Washington, E.G. Rathbone being head of the Cuban branch.¹ Neely and Rich had not been selected for their positions by civil service examinations, but, according to the post master general's statement, his choice of these men was "based on tried service and personal knowledge."² However, neither of the men had had experience in postal service but were politicians from Indiana. The principal offenders were tried and convicted, the trial showing that the whole affair had been deliberately and carefully planned. The Cuban government, however, at the end of the American occupation, as an act of appreciation of the conduct of the United States toward Cuba, pardoned all convicted Americans in Cuban prisons and the post office cases were included with the rest.³ Mr. M.C. Fosnes was ultimately made head of the department and his work was characterized by honesty and efficiency.⁴

IX. An extensive telegraph and telephone service was built throughout the island which proved to be of great convenience to business houses, judges and the rural guard.⁵ The customs service was organized by Brigadier General T.H. Bliss. Revenues were collected at prices much the same as those in the United States at that time. Better equipment such as revenue cutters,

1. "Embezzlement in Cuba." The Independent, Vol. 52, 1160.
2. "The Post Office Scandal in Havana." The Nation, Vol. 70, 372.
3. Civil Report. Gen. Wood, 1902. Vol. I, 9.
4. Ibid. 184-187.
5. Ibid. 181-184.

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launches, etc. was provided.

The problem of church property arose and caused some contention for a time. In 1861, the Spanish Government had made an agreement with the Roman Catholic Church, to pay rent for church property used for governmental purposes, and to purchase certain holdings which were for sale. When our Military Government took charge of the island, the church property was used but no rent was paid for it. This occasioned much dissatisfaction and complaint. Finally an investigation was made and a settlement agreed upon by which the government bought all mortgages on the property held - the sum amounting to Nine hundred fifty-one thousand two hundred thirty-six dollars. An option for five years, to buy any or all of the real property was obtained and the state agreed to pay an annual rental amounting to five per cent of the agreed value of urban and three per cent of the agreed value of rural property. The rental² amounted to Ninety-one thousand twenty-seven dollars and fifty cents per year.

An agreement between debtors and creditors was reached and put into operation. Many rural estates in Cuba had been heavily mortgaged and the time for foreclosure was at hand; to avoid a general panic which was imminent, creditors and debtors were brot together in conference and after much discussion, an agreement was reached whereby settlements were to be made on a four year basis and accrued interest gradually paid off. Interest, subsequent to this agreement was fixed at five per cent as against the previous interest of twelve to eighteen³ per cent.

The marriage laws were changed so that marriages performed by clergymen were made legal, as well as those performed by civil marriage officers.⁴

1. Civil Report, Gen. Wood 1900, Vol. 5, 6. Report of T. H. Bliss, (no pagination)
2. The Annals of American Academy of Political and Social Science Vol. 21, 178.
3. Ibid. 179.
4. Civil Report. Gen. Wood 1900 Vol. 2, 1040.

Marriage fees were reduced, which helped to decrease the number of common law marriages that had become general in the island.

One of the most difficult problems met was the industrial situation. The Military Government has been severely criticised for not doing more along this line. The revival of industry in Cuba was very slow. The sugar plantations were heavily mortgaged, their machinery had been destroyed, and the owners found it hard to secure capital for reinvestment. Many of the Cuban farmers were ready and anxious to go to work on the farms but they did not have the means to buy the necessary animals and implements. The cattle and many of the horses had been destroyed during the war. To relieve the situation the government did expend One hundred four thousand five hundred dollars for the purchase of animals and sold them to the Cuban farmers.¹ This, of course, was very little relief for the serious industrial situation. "America is prone to take credit for all that has been done in Cuba. The truth is, that, along economic lines, the Cuban, whether planter or peasant, received little assistance from the American Government. Neighbor helped neighbor, and he who had an ox or a plow or a hoe shared its use with his neighbor who had nothing. I have seen a peasant scratching a shallow furrow in the soil with a bit of bent iron barrel hoop that he might plant a few 'boniatos'. I have seen three Cubans slowly and laboriously dragging a crude and cumbrous Cuban plow, while a fourth guided it. By such methods as these have the Cuban people struggled for² life and maintenance".

Governor Wood, himself, confessed that in this line the Military Government had done little or nothing. "We have occupied Cuba for three and

1. Senate Document, No. 312, 25-26, 58th Congress, 2d session.
2. Robinson, A. G. Cuba and the Intervention. 106.

one half years and have done much to assist her people by contribution of food, troops to maintain order, modern improvements, etc., but we have done little to stimulate or aid directly her two great industries. We have, as a people, only partially completed our duty toward the island. We have expelled Spain, it is true. We have cleaned up the island, have laid the foundations for good government but this work will be largely useless unless we give Cuba the means to continue the work".

Thus it was by dint of slow, laborious work that the Cubans, themselves, gradually improved the situation which at first had seemed hopeless. The expenditures during the entire period of American Administration in Cuba amounted to Fifty-five million four hundred five thousand thirty-one dollars and twenty-eight cents.

1. Wood, L. "Reasons for Reciprocity between the United States and Cuba" The Outlook, Vol. 70, 169.
2. State and Government,.....\$2,780,781.16

Justice and Public Instruction.....	11,108,187.46
Finance.....	990,586.71
Customs Service.....	2,912,326.06
Postal Service.....	1,625,762.03
Quarantine.....	694,024.81
Census.....	380,393.44
Auditor.....	312,758.42
Treasurer.....	581,700.10
Rural guard and administration.....	5,253,244.58
Agriculture, Industry and Commerce.....	1,121,699.28
Public buildings, works, ports, harbors.....	5,833,607.90
Jucaro and San Fernando Railroad.....	57,338.51
Barracks and quarters.....	2,525,483.78
Charities and hospitals.....	4,124,986.60
Sanitation.....	9,706,258.20
Municipalities (other than charities, hospitals and sanitation).....	4,477,177.52
Miscellaneous.....	918,714.72
Total.....	\$55,405,031.28

See Senate Document No. 312, 30, 58th Congress, 2d session.

CHAPTER III.

THE CONSTITUTIONAL CONVENTION.

The new municipal regime having been established and the Military Government having accomplished many of its plans, it was felt that steps should be taken by which the Cubans should be prepared to govern themselves. Accordingly on July 25, 1900, the following call for a Constitutional Convention was issued:

"Whereas, Congress, by joint resolution, April 20, 1898, declared

"That the people of Cuba are and of right ought to be free and independent,

"That the United States disclaims any disposition or intention to exercise sovereignty, jurisdiction or control over the island except for pacification and

"Whereas the people of Cuba have established municipal governments and are now ready to establish a general government, therefore it is ordered

"That a general election be held in the island of Cuba on the third Saturday of September 1900, to elect delegates to a Convention to meet in the city of Havana at twelve o'clock noon, the first Monday of November, 1900, to frame and adopt a constitution for the people of Cuba and as a part thereof to provide for and agree with the Government of the United States upon the relations to exist between that Government and the Government of Cuba, and to provide for election by the people of officers under such constitution, and the transfer of the government to the officers so elected".

Thirty-one representatives were elected as delegates to the Constitutional Convention which convened in Havana at the appointed time. The first session was opened November fifth by Governor Wood, who, according to the directions of the secretary of war, communicated to them a message, a part of which is as follows:-

"To the Delegates of the Constitutional Convention of Cuba.

Gentlemen: As military governor of the island, representing the President of the United States, I call this convention to order. It will be your duty first to frame and adopt a constitution for Cuba and when that has been done, to formulate what in your opinion ought to be the relations between Cuba and the United States. The constitution must be adequate to secure a stable, orderly and free government. When you have formulated the relations, which in your opinion, ought to exist between Cuba and the United States, the Government of the United States will doubtless take such action on its part as shall lead to a final and authoritative agreement between the people of the two countries to the promotion of their common interests".

It will be seen from this that the Convention had three distinct duties to perform - (1) to frame and adopt a constitution, (2) to provide for and agree with the Government of the United States upon the relations to exist between the two countries, (3) to provide for the election by the people of officers under such constitution and the transfer of the government to the new officers.

The oath was administered to the delegates by the chief justice of Cuba. After electing temporary officers and creating committees on credentials and rules, the convention sent to Washington, a telegram, "respectfully saluting the President and Congress of the United States and expressing sentiments of gratitude to the American people".

The first task, that of making a constitution was begun. "The story of the making of Cuba's constitution is, in the main, similar to the work of all deliberative and legislative bodies. It is a story of routine; of work in committee-rooms; of public and private sessions; of the manoeuvres of political parties to secure party advantages and party supremacy, and of effort to attain individual ascendancy. It is a story of tiresome discussion on trivial points and of heated debate on important questions; of effort to secure the adoption of this or that plan or to prevent the acceptance of this or that theory".

Various constitutions were studied with a view of selecting the best points from each. The question of universal suffrage was a matter of serious contention. There were, in the island, many illiterates of both white and black races, also a great number who could not meet the requirements of a property qualification. To bar any or all of these, meant the exclusion of many whose fighting had helped make possible the independence of the island. Restriction would mean almost certain disorder, which would threaten materially the new government. Finally, universal suffrage of male Cubans, twenty-one years of age, was adopted, subject to the usual limitations of mental and legal incapacity.

Another strife arose regarding qualifications for the presidency. To limit eligibility to native-born Cubans, barred Máximo Gómez, a native of Santo Domingo, who had been a powerful force in the revolution. Many who would have opposed General Gomez becoming President, felt that to deliberately close the door in his face would show base ingratitude. Opposed to these were bitter enemies of Gomez who fought this point desperately but were finally defeated by

the following clause being made a part of the constitution - "He (the President) must be a native-born or naturalized Cuban citizen, and in the latter case, must have served in the Cuban army in its wars of independence for at least ten years".¹

Other points of notable debate were:² the right of government to expel pernicious aliens; popular election of Senators; the governmental powers of the provinces; the recognition of Cuban debts; General State control of education.

The resulting piece of work shows many similarities to our own constitution. It provides for a republican form of government with the usual division into legislative, executive and judicial branches. The legislative power is exercised by Congress, which is made up of two elective bodies, known as the House of Representatives and the Senate. The Senate is composed of twenty-four Senators, four from each of the six provinces into which the island is divided. The Senators serve for a period of eight years, one-half of the members being elected every four years. They are elected by an electoral college made up of the provincial councilmen and a double number of electors chosen by the voters. The House of Representatives is composed of one representative for every twenty-five thousand inhabitants, elected by the direct vote of the people for a term of four years, one-half of the members being elected every two years.

The executive power is vested in a president. The president and vice-president are elected indirectly in the same manner as are the senators, by an electoral college chosen by the people for that purpose. They are elected for terms of four years and may not serve more than two consecutive terms. The cabinet is composed of eight ministers or secretaries appointed by the president

1. See Constitution of Cuba. Title VII, Article 65, (1). International Bureau of American Republics. Nov. 1905, Cuba 513-535.
2. Robinson, A. C., Cuba and the Intervention, 220.

and responsible to Congress for their acts.

Judicial power is vested in a national supreme court. Other courts established by law are, six superior courts - one for each province, thirty-six courts of first instance, and a number of minor courts. The justices of the supreme court are appointed by the president, with the advice and consent of the senate.

Cuba is politically divided into six provinces which are again divided into municipal districts. The administration of each province is conducted by a governor assisted by a provincial council, both elected by direct popular vote for a period of four years. Each municipal district is administered by a mayor and municipal council, elected by popular vote.¹

This constitution differs from that of the United States in that there is greater centralization, due, no doubt to colonial experience under the rule of Spain. The provinces of the island are far less important than the states of the American union. The subjects of legislative power are very similar to those of the United States Congress; but the control of railroads, canals, and public roads is explicitly given to the federal government. Considering the history of the island, the Constitution is a liberal one. That a people, which had suffered the miseries of war as long as the Cubans had, with no chance to develop strong local governments, should plan a strongly centralized system, is most natural. The centralization is, however, no greater than that of the French government.² The making of the constitution was practically completed by February 11 but the official signing of the document did not take

1. For constitution of Cuba see International Bureau of American Republics, Nov. 1905, Cuba, 513-535.

2. "An 'Expert' on the Cuban Constitution", The Nation, Vol. 73, 180.

place until February 21, 1901.

Meanwhile, a special committee of five members had been appointed by the convention to prepare and submit to it projects concerning the matter of "relations" with the United States. The question of "relations" had also begun to assume definite form in the mind of the public. About the first of January there appeared in the Cuban papers a set of propositions. Apparently the editor was responsible for the suggestions.

I. "In order to maintain the principles of the Monroe doctrine Cuba will proceed in all cases, in peace as well as in war, in common accord with the United States.

II. "The Republic of Cuba will place at the disposal of the United States, part of the shore of any bay on the North coast and of any two bays on the South coast of Cuba to be used for the establishment of naval and coaling stations.

III. "The Republic of Cuba will put herself on a war footing whenever the United States shall consider her assistance necessary to defend or protect the independence of the States which constitute the entire American¹ continent."

These suggestions called out no special enthusiasm or criticism. About February 1st, La Nacion, published the following proposals which were copied and not unfavorably commented upon by other journals:-

"That the Republic for a period of two years after the establishment of independence, will conduct foreign affairs thru the United States, will make no treaty with any other nation prejudicial to the United States and will accept no compromise which might give rise to the occupation of the island or

1. Robinson, A. C., "Work of Constitutional Convention" The Forum, Vol. 31, 401-412.

to intervention in its customs.

"That the United States for a period of two years after the establishment of independence may occupy forts in Cuba provided the Cuban flag flies with the American.

"That Cuba will lease to the United States two coaling stations and will give no commercial advantages to any other nation which are not given to the United States.

"That none of these concessions or promises is to be taken to imply any cessation of the sovereignty of Cuba or any lessening of her complete¹ independence".

In speaking of the attitude of the Cuban public toward the "relations" question, Mr. A.G. Robinson, a correspondent in Cuba, at the time, makes this statement: "Much that came to me in private conversation, within and outside the convention circle led me to a fixed belief, that without some undue interference or unexpected changes of opinion, the Convention would adopt an "opinion" based upon the above project quoted from La Nacion. It might have broadened those lines or it might have narrowed them, but I firmly believe that the main points now at issue (meaning, the opposition to the Platt amendment) would have been conceded and would have formed at least a basis for further and wholly friendly negotiations. But interference came, without need and without² warrant. It came in a fashion which gave deep offense to a sensitive people".

Others besides the Cubans were thinking of the so-called "relations", which were to exist between the United States and Cuba, and about the middle of February, Governor General Wood received instructions from Elihu Root, Secretary

1. Robinson, A.G. "Work of Constitutional Convention" The Forum, Vol. 31, 401-412.

2. Ibid.

of War, containing the administration's idea of what the proposed "relations" should be transmitted as a "hint" for the guidance of the Convention. The instructions were:

"The people of Cuba should desire to have incorporated in her fundamental law, provisions in substance as follows:-

1. "That no government organized under the constitution shall have authority to enter into any treaty or engagement with any foreign power which may tend to impair or interfere with the independence of Cuba or to confer upon such foreign power any special right or privilege without the consent of the United States.

2. "That no government organized under the constitution shall have authority to assume or contract any public debt in excess of the capacity of the ordinary revenues of the island, after defraying the current expenses of the government to pay the interest.

3. "That upon the transfer of the control of Cuba to the government established under the new constitution, Cuba consents that the United States reserve and retain the right of intervention for the preservation of Cuban independence and the maintenance of a stable government, adequately protecting life, property and individual liberty and discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States and now assumed and undertaken by the Government of Cuba.

4. "That all the acts of the military government and all rights acquired thereunder shall be valid and shall be maintained and protected.

5. "That to facilitate the United States in the performance of such duties as may devolve upon her under the foregoing provisions and for her own defense the United States may acquire and hold the title to land and naval

stations and maintain the same at certain specified points."

An immediate change was manifest in the sentiment of the convention, judging from the report submitted by the committee. Extracts from that report are as follows:

....."But no sooner had the Committee on Relations been organized than the Honorable Governor of the Island demanded a private interview, during which he made known a communication from the American Secretary of War, containing the terms suggested and recommended by the American Executive, as the basis of the opinion which it solicited. From that moment, the committee was obliged to proceed with greater caution, as the subject had to be considered from another point of view, inasmuch as the earlier instructions provided for the free formulation of their opinion concerning the relations which should exist between the two countries.....We are the delegates of the people of Cuba. ~~therefore~~ our primary duty lies in interpreting the will and serving the necessities of our people. It was apparent that the intimations of the American Executive contained only the expression of what, in his judgment, the people of Cuba ought to desire in the matter of future relations.....It is clear and plain that this is sufficient reason for our giving them (the opinions of the American Executive) a careful consideration.....But we have a complete right to accept or reject them, to select from them that which we think fit, to add to them or subtract from them, or to substitute for them others according to the dictates of our consciences, holding always before us our duty to reconcile all that may be a legitimate interest or a rational proposal of the people of the United States, with our own highest interests and sacred rights.

"The undersigned committee, while accepting the starting point of the American Executive - which provides that the independence of Cuba shall remain absolutely guaranteed - is of the opinion that some of these stipulations are not acceptable, inasmuch as they modify the independence and sovereignty of Cuba. Our duty consists in making Cuba independent of all other nations, including the great and noble American nation; and if we bind ourselves to ask the consent of the United States to our international treaties; if we allow them to retain the right to intervene in our country to support or displace administrations, and to fulfil rights which only concern the Cuban Government; and if, lastly, we concede to them the right to acquire and maintain any title over any lands whereon they may establish naval stations, it is plain that we should appear to be independent of the rest of the world, but surely, we should never be so with relation to the United States."

The tentative proposals submitted by the Committee were:

"The Government of the Republic of Cuba shall not enter into any treaty or agreement with any foreign Power or Powers which might compromise or limit the independence of Cuba, or which might, in any way, authorize any foreign Power or Powers to acquire, thru colonization or for military or naval purposes, any lodgment, authority or right over any portion of Cuba.

" The Government of the Republic of Cuba will not permit its territory to be used as a base of war operations against the United States or any other nation.

" The Government of the Republic of Cuba accepts in its entirety the Treaty of Paris of the 10th of December, 1898, in that which it affirms of the rights of the Cubans as well as the obligations which are tacitly imposed,

and especially as concerns the obligations imposed by international law, referring to the protection of life and property, accepting for itself the obligations assumed by the United States in this regard, according to Articles 1 and 16 of said Treaty of Paris.

"The Government of the Republic of Cuba shall recognize as legally valid the acts executed by the Military Government, during the term of its occupation, for the good government of Cuba, as well as the rights acquired under said acts and in conformity with the Joint Resolution, and the second section of the United States Army Bill of 1899-1900, known as the Foraker Bill and with the existing laws in force in the country.

"The Government of the United States and that of the Republic of Cuba shall regulate their commercial relations by means of a treaty based on reciprocity with a tendency toward the free interchange of their natural and manufactured products, and which will mutually assure them ample special¹ advantages in their respective markets."

The United States had given a hint concerning her ideas on the subject of "relations". Cuba had also given expression to her opinions. Which would prevail?

1. House Document No.1, 360-364, 57th Congress, 2d session.

CHAPTER IV.

THE PLATT AMENDMENT.

The government of the United States, having taken so decisive a step as to call together a Cuban constitutional convention, realized that its policy of humanitarianism toward the island was about to end. This policy had been adopted during the Ten Years War of 1868-1878 and had finally resulted in intervention and military occupation. Military occupation was soon to cease and the Cubans were to govern themselves. What, then, was to be the future policy of the United States toward this island? This disquieting question was in the minds of not a few congressmen during the winter of 1900-1901. Not only congressmen were interested in this matter. There were American capitalists and investors who had property interests in Cuba, the value of which was estimated¹ from thirty million dollars to fifty million dollars. Did these men wish that our government should withdraw from Cuba entirely?

The solution of this perplexing problem was at last found in what is commonly known as the Platt amendment, introduced in the Senate on February 25, 1901 as a rider to the army appropriation bill. Its author and champion was Mr. Orville Hitchcock Platt of Connecticut, the chairman of the Committee on Relations with Cuba.

1. Richardson, J.D. Messages and Papers of the Presidents,
Vol. IX. 718. Moore, J.B. International Law Digest. Vol. 6, 121.

The Amendment was as follows:-

"That in fulfillment of the declaration contained in the Joint Resolution approved April 20, 1898, the President is hereby authorized to leave the government and control of the island of Cuba to its people so soon as a government shall have been established on said island under a constitution which either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

I. "That the Government of Cuba shall never enter into any treaty or other compact with any foreign Power or Powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign Power or Powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

II. "That said Government shall not assume or contract any public debt, to pay the interest upon which and to make reasonable sinking fund provision for the ultimate discharge, of which the ordinary revenues of the island after defraying the current expenses of the Government shall be inadequate.

III. "That the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property and individual liberty and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

IV. "That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

V. "That the Government of Cuba will execute and as far as necessary extend the plans already devised or other plans to be mutually agreed upon

for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as the commerce of the southern ports of the United States and the people residing therein.

"I. "That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

VII. "That to enable the United States to maintain the independence of Cuba and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

VIII. "That by way of further assurance, the Government of Cuba will embody the foregoing provisions in a permanent treaty with the United States."¹

Objections to the amendment were at once raised by members of the Democratic party. They urged that as the session would close in less than a week and as Congress had so little information concerning the Constitution of Cuba which had just been completed, an extra session be called in the summer, rather than pass the army appropriation bill with its important amendments without due consideration.²

"This is what we are doing", said Senator Morgan of Alabama, "The President demands supplies and when we stand ready to vote them, anxious to supply the Army, he comes in at the very last hour of this Congress and loads

1. Senate Document No. 312, 11-12, 58th Congress, 2d session.

2. The other Amendment was the Spooner Amendment which outlined the form of government for the Philippine Islands.

these bills down with two propositions to increase his powers in Cuba and in
¹
 the Philippines."

"Indeed", continued Mr. Morgan, "It is a debatable question whether or not Congress can make an agreement with a government in Cuba, which it undertakes, in part, at least, to create by a legislative act here." He urged that Congress would not undertake to foreclose the question, but should, by mutual authority of commissioners, hear both sides of the question.

The amendment was termed an ultimatum which gave only one course to the Cubans. The question as to whether we had the constitutional power to become the protector of any foreign power was challenged.

Senator Money of Mississippi stated his opinion that Cuba should not be given entire freedom because of the revolutionary tendency of all Spanish-American states, altho he conceded the fact that the Cubans were more com-
²
 petent to govern themselves than any other Spanish-Americans.

In spite of many objections the army bill and its two amendments were soon passed in the Senate. It was then sent back to the House where a vigorous debate concerning the amendments was carried on until the very end of the session.

The Democrats one and all contended that this Platt Amendment violated the pledge given to Cuba in the Joint Resolution. "There can be no mistaking the language of those resolutions", said Mr. Jones of Virginia, "They were carefully drawn and worded and declared in simple, straightforward language. "The people of Cuba are and of right ought to be free and independent." We were not content with this but disclaimed both the disposition and intention to

1. Congressional Record, Vol. 34 Part 3, 2954.

2. Congressional Record, Vol. 34 Part 4, 3132-3135.

exercise sovereignty, jurisdiction or control over the island save only for the purpose of pacification. The pledge which we gave to the people of Cuba was unqualified; was accompanied with no conditions, no limitations and no¹ restrictions."

Mr. Benton of Missouri said that before the proposed legislation could be enacted into law, there ought to be a resolution passed by Congress,² absolutely and unqualifiedly repudiating the Joint Resolution of April 20, 1898. "Section 4 of the Amendment," said Mr. Benton, "proposes to validate all acts of the United States while in the island and particularly to validate rights acquired while we were in possession. It is meant here to fasten on the constitution of Cuba all franchises procured while we held military possession. It is meant to force the Cubans to indorse all unconscionable contracts, made for the benefits of corporations. These declarations show the inconsistency and lack of good faith of the party that stated in its national platform of June 1900 - 'To Cuba independence and self-government were assured in the same³ voice by which war was declared and to the letter this pledge shall be performed.'"

One Republican defended his views by stating that he had voted for the Teller Resolution in 1898 and intended thereby to extend to the Cubans the same liberty, freedom and independence enjoyed by the citizens of our own country. "What greater liberty and independence can be obtained", he asked, "than that enjoyed under the protection of our flag?" Protests were made against the enormous expense of imperialism. The army appropriation bill before them asked for a grant of one hundred fifteen million seven hundred thirty-five thousand, six hundred forty-four dollars, while the bill for the year ending

1. Congressional Record, Vol. 34 Part 4, 3345-3346.

2. Ibid. 3339.

3. Ibid. 3348-3349.

June 30, 1898 had called for only twenty-three million one hundred twenty-nine thousand eight hundred forty-four dollars.¹ It was also contended by the Democrats that the Monroe Doctrine would afford sufficient protection to Cuba and her republican form of government. In the face of that doctrine, no foreign nation could interfere with Cuba so as to change her form of government or take permanent possession of the island.² Another statement to the same effect is to be found in an editorial in *The Outlook* February 23, 1901. "It should be remembered also that the Monroe Doctrine will naturally and without any specific declaration by the United States or agreement between the United States and Cuba apply to Cuba, exactly in the way in which it now applies to Venezuela and other South American countries. It is not necessary for the United States to warn other countries not to interfere in Cuban affairs, as other countries well understand the permanent position taken by the United States and defined by the Monroe Doctrine."³

Many dwelt on the fact that there was no provision in our constitution for such action as these amendments advocated. "Indeed", said one member, "Such a condition is not consonant with our theory of government which is founded upon the idea that all just powers of government must come from the consent of the governed."⁴

As in the Senate, it was urged that action should be delayed until after the Cuban Constitutional Convention should have entirely finished its work and it was pointed out that the Cubans had no objection to a stipulation guarding Cuba against the danger of treaties with foreign countries inimical to the interests of the United States.⁵ The time came for the close of the session. The

1. Congressional Record, Vol. 34 Part 4, 3341.

2. *Ibid.* 3344-3345.

3. "The Cuban Constitution", *The Outlook*, Vol. 67, 423.

4. Congressional Record Vol. 34 Part 4, 3345.

5. *Ibid.* 3347.

vote was taken and on March 2, 1901, the Army appropriation bill with its two¹ important amendments was passed.

It is interesting to note how Mr. Platt defends and explains his position in regard to Cuba. In an article entitled, "Our Relation to the People of Cuba and Porto Rico", we find his views set forth.² In brief his idea is this, "When we went to war with Spain, we declared that the people of Cuba ought to be free and independent and we therefore disclaimed any purpose to acquire the island and promised that when its pacification should be accomplished, we would leave it to its people. To this promise, we pledged ourselves as a nation. Reduced to its simplest terms our pledge is that the United States becomes responsible for the establishment and orderly continuance of republican government in Cuba.....We became responsible to the people of Cuba, to ourselves and to the world at large that a good government should be established and maintained in place of the bad one to which we put an end." He then went on to tell of the social and racial conditions which did not promise well for the permanence of republican government without some guidance. The classes controlling wealth and property had taken little or no part in the revolution. The Spaniards were loyal to their mother country and most of the Cuban landowners tried to preserve their neutrality by paying tribute to both sides in the hope of saving their estates from destruction. There was little sympathy between the wealthy and landowning classes in Cuba and the great bulk of its population. The active revolutionary element consisted of white Cubans who had little or no property interests at stake - they were the officers of the insurgents while the mulattoes made up the rank and file. Naturally great

1. The vote was 161 to 137. Congressional Record Vol. 34 Part 4, 3384.

2. "Our Relation to the People of Cuba and Porto Rico", Platt, O.H. ~~The Annals of the~~
~~The American Academy of Political and Social Science~~ Vol. 18, 145-159.

distrust existed between the conservative property holding class and the radical revolutionary class. Delegates representing the radical revolutionists were¹ in control of the Cuban Constitutional Convention.

In speaking of Cuba's acceptance of the amendment, Mr. Platt continued, "Happily now they have at last concluded to trust the United States and have accepted the proposed terms upon which the two governments are, it is to be hoped, to dwell together in unity. In all this they have surrendered nothing of independence or sovereignty. The new government is to be as inde-²pendent and sovereign as the United States."

The attitude of the Cuban Convention delegates toward the Platt amendment was an extremely hostile one. On April 24, 1901, a commission of five members sent by the Cuban Convention, arrived in Washington with instructions to get the amendment modified. Secretary Root conferred with them and the conditions of the Platt amendment were explained and discussed. Their most serious objections related to the conditions providing for intervention and naval stations. A suggestion from them that one station to be situated on the Bay of Nipe, might suffice, was not accepted; they were told that our government desired several stations and preferred to exercise full sovereignty over the sites of them. Secretary Root endeavored to explain to the commissioners that the amendment could not be modified by the executive, because they were imposed by an act of Congress. The commissioners were not encouraged to expect that

1. "Our Relation to the People of Cuba and Porto Rico", Platt, O.H. The Annals of the American Academy of Political and Social Science Vol. 18, 145-159. Property owners thought that property would not be safe if the revolutionary element should get control and the radicals thought that the property owning and business element secretly favored annexation in which it was secretly encouraged by the United States.
2. "The Pacification of Cuba" Platt, O.H. The Independent Vol. 53, Part 2, 1464-1468.

Congress would modify them. They then made known their desire for a reduction of tariff duties on Cuban sugar and tobacco. In this they were supported by General Leonard Wood. They were told that changes in the tariff could be made only by an Act of Congress or by treaties of reciprocity ratified by the Senate, and that such a treaty could not be negotiated with Cuba until after the establishment of a government there. The acceptance of the Platt Amendment was to precede the establishment of a Cuban government.

The Commissioners took their departure, carrying with them a written explanation of the Platt amendment and of our Government's policy and purpose with respect to the several conditions imposed.¹ Their mission had been in vain.

The same idea of protest is to be found in the Cuban papers and journals of the day.² La Patria was distinctly the organ of the Convention. The following was taken from its issues of the following dates.

March 27. "The rejection of the Platt amendment would simply mean that the United States would have to reconsider the subject. With a better knowledge of our sentiments and ideas of the subject, they would modify the resolution and after due deliberation some acceptable and definite solution of the problem would be found, which would not in any way infringe upon or limit the independence and sovereignty of the island of Cuba."

April 1. "We have not as yet heard that any Cuban who advocates the acceptance of the Platt amendment, upholds it because of its innate good

1. For account of Cuban Commissioners see The Independent 1901 May 2, vol. 53 Part 2, 981-982.
2. For extracts from Cuban papers see The Independent, Vol. 53 Part 2, 1055-1061.

qualities. All of them agree that the said amendment curtails our sovereignty and independence and even express themselves in the harshest terms against it and the Government that so obviously violates its most solemn pledges. All are agreed upon this point - the nonfulfillment of the promise made by the United States is flagrant, undeniable. There is no one, worthy of the name of Cuban, who would have dared to propose as a beneficial and necessary measure for the constitution of the Republic of Cuba, the utterly unacceptable provisions of the Platt Amendment."

April 19. "The object of the Commissioners' visit is to convince the American Executive that the terms and provisions of the Platt Amendment are a menace and threat to Cuba's independence; that they are in opposition to Cuba's rights and interests and as the President is obliged to think of other solutions and modes of procedure, in case the Platt Amendment be rejected, the Commissioners are not to formally and definitely decide what course of action is to be followed but to study out and formulate in accord with President McKinley's views, if the American Executive be willing to take part in these deliberations, a new formula to the objectionable Platt Amendment, which may prove acceptable both to the United States Congress and to the Cuban Convention; for without the approbation of both these assemblies, it is impossible to reach any definite conclusion either on legal or moral grounds."

Mendez Capote, the President of the Convention, in speaking of the amendment said, "The third clause in that amendment giving to the American Government the power to intervene in our country is most serious because, under its shadow, it is impossible to establish here any Cuban government, stable, strong and orderly. Should we concede this, there will be born a government resting upon a supposition of incapacity".

Diego Tamayo, the President of the Committee on "Relations", made this statement, "I have studied the Platt Amendment with perfect impartiality, being desirous of finding a method of harmonizing it with the sovereignty and independence of the Cuban people. I must say that there is manifest incompatibility between its precepts and our aspirations. So great a disparity is there, that should we accept the terms in their entirety, not only would we be destroying our independence but we would thereby prove ourselves unworthy of being independent. If Americans were our bitter enemies, it might be that the Platt Amendment had been conceived and made law with the idea of provoking a conflict with the Cubans."

Jean Gualberto Gomez gives his opinion in these words, "We are asked to give the United States, the key of our house with the right to come in whenever they choose. This would make the United States the master in Cuba, violate the provisions of the Joint Resolution and deprive Cuba of all sense of independence and national sovereignty."

Señor Giberga was the only representative in the Convention who appeared for the Conservative party. La Realidad sums up his review which is presumably the expression of the views of his party. "As it will be observed, the proposition of Delegate Giberga, substantially accepts all the provisions of the Platt amendment and in compensation asks for commercial concessions from the United States which will enable Cuba to develop its natural resources; for without this latter the protection offered to Cuba by the United States will be utterly valueless. And these commercial concessions, while affecting none of the American industries will highly benefit some of them. Fairness and justice demand that they should be granted. We do not know how the majority of the Convention will view the proposition of Delegate Giberga; but we earnestly hope that it may be duly considered and adopted. It is fair and just and we think

that its adoption will bring about the solution of the troublesome problem now before the Convention."

The only member of the Convention who had thus far proposed any definite acceptance of the amendment was Señor Quilez, commonly regarded as no more than an instrument of General Wood in return for his appointment as Governor of Pinar del Rio province. His attitude is in no way enthusiastic and his motion to accept the amendment was defeated by a vote of twenty-four to two, Giberga voting with him for it. A leading Havana paper thus summed up the Quilez proposition.

"Dr. Quilez begins by citing the fact that the United States went to war with Spain at a moment when the Cuban insurgents most needed help; that relief from starvation and suffering was furnished by the United States and that we, today, have that nation to assist us in constituting a government that shall be one in reality. Dr Quilez then argues that we owe an immense debt to the United States which we must recognize, especially, as we are given the opportunity to do so voluntarily before being compelled to yield to imposition by force after ruinous delay."

Editorials of El Mundo and La Discusion were of similar tenor, as were those of the greater number of the lesser papers thruout the country. El Vigilante of Guanajay made this statement - "The hour of shameful impositions has arrived when a general good-will should prevail. We have maintained more than once that the acts of sovereignty exercised by the United States since the intervention, its titles, everything which gives rights or concerns the public welfare would necessarily be sanctioned by future governments, that in spite of the exalted Joint resolution the American Government was exercising here the function of an absolute government. In this sorrowful hour of menaces and

discouragements, of frenzies and fears may God illumine our consciences so that we may save our existence and dignity."

After more than two months of protest and debate, the Cuban Constitutional Convention on June 12, 1901 adopted an ordinance making the Platt Amendment a part of the Constitution of Cuba. The provisions of this amendment were also embodied in a permanent treaty between the United States and the Republic of Cuba, signed at Havana, May 22, 1903, the ratifications of which were exchanged at Washington July 1, 1904. By a treaty concluded July 2, 1903 Cuba leased to the United States certain areas of land and water at Guantanamo and ¹ Bahia Honda for naval and coaling stations.

October 1, 1901, the convention performed its third and remaining duty by adopting an electoral law providing for a general election thruout the island to be held on December 31, 1901, to choose governors of provinces, provincial councilors, members of the House of Representatives, and presidential and senatorial electors. The law also provided that on February 24, 1902, the several bodies of electors thus chosen should meet and elect a president, vice president and senators. The convention then adjourned.

The elections were held and at the appointed time the electors assembled and chose Tomas Estrada Palma as president. At noon on the 20th day of May, 1902, the official transfer of the island from the Military Government of the United States to the Government of Cuba took place. The ceremony of transfer was very brief and simple. In the state apartment of the palace in Havana, before a group composed of American and Cuban officials, the representatives of foreign powers and certain guests, General Leonard Wood read a short

1. Moore, J. B. International Law Digest, Vol. 6, 238.

letter from President Roosevelt. Details of instruction, concerning certain phases of the administration, were added by General Wood. To these messages,
President Palma replied in a brief and appropriate speech.¹ This ceremony was followed by the hauling down of the American flag and the substitution of the Cuban flag in its place.

1. These three speeches can be found in Senate Document No.312, 28-30, 58th Congress, 2d session.

CHAPTER V.

THE STRUGGLE FOR RECIPROCITY.

According to the old Spanish law, trade with Cuba had been very much restricted. During the years just following 1880, attempts were made in the United States to introduce a reciprocity policy in order to avoid a tariff revision. The European free trade movement had been superseded by an era of discriminating tariffs, so it was useless to look for reciprocal arrangements there. The Eastern trade was not greatly developed at the time. Efforts to make better commercial relations with Canada had been regarded with disfavor. The only fields open for our commercial expansion, were the countries to the south. Accordingly, attempts were made to secure reciprocal trade relations with several of these nations.

In 1884, negotiations were made with Spain which would have granted a reduction of fifty per cent on Cuban sugar and tobacco. In return for this concessions were made to us on certain articles imported into Cuba from our country. The treaty was regarded as highly favorable to the United States but it was withdrawn from the Senate and so failed to be put into¹ operation.

1. Willis, H.P. "Reciprocity with Cuba" The Annals of American Academy of Political and Social Science Vol. 22, 129-132.
Also Senate Document No.10, 48th Congress, 2d session.

By the Aldrich Amendment of the McKinley Tariff Act of 1890, power was conferred upon the President to negotiate treaties of reciprocity, which would admit certain specified articles free of duty from such countries as would make concessions in their tariffs upon American merchandise. So in the summer of 1891, a treaty of reciprocity was negotiated with Spain in regard to Cuba and Porto Rico. Under these provisions, sugar came into the United States free, while the United States was permitted to send to Cuba, building materials, unmanufactured iron and steel, mining materials, machinery and railway construction equipment without duty. Other articles were admitted into Cuba at reduced rates.¹

Our exports to Cuba increased, the cost of food supplies in Cuba was reduced and the island enjoyed a period of prosperity, which lasted until the latter part of 1894. To show the increased amount of trade, the exports increased from thirteen million eight-four thousand four hundred fifteen dollars during the fiscal year ending June 30, 1890, and twelve million two hundred twenty-four thousand eight hundred eighty-eight dollars for the fiscal year ending June 30, 1891, to Seventeen million ninehundred fifty-three thousand five hundred seventy dollars during the fiscal year of 1892 and to twenty-four million one hundred fifty-seven thousand six hundred ninety-eight dollars during 1893.²

Exports decreased somewhat during the year ending in June 1894, amounting to twenty million one hundred twenty-five thousand three hundred twenty-one dollars but the effects of the termination of the treaty were seen during the

1. Willis, H.P. "Reciprocity with Cuba" The Annals of American Academy of Political and Social Science Vol. 22, 135.
Also Senate Document No. 10, 48th Congress, 2d session.
2. Ibid. Also House Report No. 2263, 245, 54th Congress
1st session.

year from July, 1894, to July, 1895, when the exports amounted to twelve million eight hundred seven thousand six hundred sixty-one dollars. However, a part¹ of this decline must be attributed to general disturbances in the island.

The exports from Cuba to the United States during the year 1893 were valued at seventy-eight million seven hundred six thousand five hundred six dollars as compared with fifty-three million eight hundred one thousand five hundred ninety-one dollars in 1890. Little else than sugar and tobacco made up the Cuban exports to this country, as is seen from the fact that in 1893 sugar alone amounted to sixty million six hundred thirty-seven thousand dollars and tobacco to nine million dollars.

In 1894 the change from a Republican to a Democratic administration was followed by the Wilson tariff which again placed a duty on sugar, cancelled the reciprocity treaties, one effect of which was a return of Spanish² tariff rates in Cuba.

The Dingley tariff of 1897 increased the duty on sugar still more and the revolution in the island practically destroyed the Cuban trade.

Next to independence, Cuba's greatest desire was commercial advantage with the United States. As was mentioned above, the Cuban Commissioners to Washington, in the spring of 1901, having given up the hope of modification of the Platt Amendment, made bold to ask for reciprocal arrangements with their all powerful neighbor. They were told, it will be remembered, that no such negotiations could be entered into, until after a government had been established.

1. Willis, H.P. "Reciprocity with Cuba" The Annals of American Academy of Political and Social Science Vol. 22, 135.
2. Ibid., Vol. 32, 323.

The following autumn was marked by a definite campaign in Cuba carried on by the sugar and tobacco interests for the purpose of arousing public spirit in the interest of reciprocity.¹ During the latter part of November, a group of Cuban planters, merchants, and manufacturers gathered in Washington ready to plead and defend their cause. Their proposals, sent to the Senate for consideration were as follows:- "We know the needs and wishes of the Cuban people. They need access to the markets of the United States for the sale of their products. It is essential to their prosperity. They wish the sale of American products extended in Cuba. Under present conditions that is impossible. American sales in Cuba are decreasing. The reason for such a condition is that, under a uniform tariff, European products can be sold in Cuba for less than American products. Unless the United States secures a preferential tariff rate in Cuba in favor of the American products, American merchants will be driven from the field." The measure which the Cubans proposed as the basis for reciprocity with the United States was as follows:- "From and after the first day of January, 1902, Cuban molasses and raw sugar, up to Number 16 of the Dutch Standard, shall be admitted into the United States free and all other Cuban products upon the payment of one-half the rates of duties levied and collected under the tariff laws of the United States upon similar products of the most favored nation, provided the people of Cuba comply with the following conditions: The people of Cuba shall consent that from and after the first day of January, 1902, all products of the United States shall be admitted into Cuba upon the payment of one-half the rates of duty, levied and collected under the tariff laws of Cuba upon similar products of the most favored nation. Whenever the

1. Robinson, A.G. Cuba and the Intervention, 279.

military governor of Cuba shall report to the President of the United States, that the people of Cuba have given such consent, the President shall, by proclamation declare that the rates of duties provided for in this act shall take effect in the United States and in Cuba from and after the first day of
¹
 January 1902."

The annual report of the secretary of war appeared during the last week of November. In this report, Mr. Root set forth the reasons and need for reciprocity with Cuba. One quotation will give the gist of his view: "Aside from the moral obligation to which we committed ourselves when we drove Spain out of Cuba, and aside from the ordinary considerations of commercial advantage involved in a reciprocity treaty, there are the weightiest reasons of American public policy pointing in the same direction; for the peace of Cuba is necessary to the peace of the United States; the health of Cuba is necessary to the health of the United States; the independence of Cuba is necessary to the safety of the United States. The same considerations which led to the war with Spain now require that a commercial arrangement be made under which Cuba can live. The condition of the sugar and tobacco industries in Cuba is already such that the earliest possible action by Congress upon this
²
 subject is desirable."

President Roosevelt declared his position on the question in no uncertain terms in his message of December 3. "In the case of Cuba, there are weighty reasons of morality and of national interest why the policy of reciprocity should be held to have a peculiar application and I most earnestly ask your attention to the wisdom, indeed to the vital need of providing for a

1. Senate Document No. 73, 57th Congress, 1st session.
2. Robinson, A. G. Cuba and the Intervention, 280.

substantial reduction in the tariff duties on Cuban imports into the United States. Cuba has in her constitution affirmed what we desired, that she should stand in international matters in closer and more friendly relations with us than with any other power; and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material wellbeing.¹

The Cuban planters were supported by the American Sugar Refining Company, generally known as the "Sugar Trust", which controlled the marketing and refining of cane sugar and so wanted all the raw sugar obtainable.

The opposition party was composed of the American beet sugar growers, the cane sugar producers of Louisiana and the tobacco planters of various states. Support was also gained from farmers' associations and from extreme protective tariff advocates.

The struggle began. The matter was given to the ways and means committee, which body held hearings for nine days.² Señors Placé and Mendoza were the only native representatives of the Cuban interests, while Mr. E.F. Atkins of Boston, Mr. F. B. Thurber and Mr. Hugh Kelly of New York were among the Americans who favored reciprocity.

Immediate and substantial relief to Cuba was the cry of the reciprocity advocates. Owing to the direct and indirect bounty systems of continental Europe, there had been an enormous overproduction of sugar which³ caused the price of sugar to be abnormally low.

1. The Independent, Vol. 53 Part 3, 2921.
2. House Document No.535, Vol.108 "Hearings on Reciprocity with Cuba", 57th Congress, 1st session.
3. The world's consumption of sugar, at that time, amounted to 10,000,000 tons. That year there had been a production of 11,000,000 tons. House Document No.1276, 57th Congress, 1st session.

Germany, the largest sugar producing country at the time, fixed the price of sugar. Because of the bounties, sugar from Europe could meet the tariff rates of the United States and still be sold at a profit. Not so with the Cuban merchants, who, because of the low price, would have lost .315 cents per pound if they had shipped it to the United States at that time under the Dingley rates. Their crop of eight hundred fifty thousand tons for that year if shipped to the United States, would have meant a total loss of about Six million ninety-eight thousand dollars or sixteen per cent of the cost of¹ production.

Industries had been paralyzed by the revolution - plantations had been laid waste, machinery destroyed and the stock used by the army - so that the planters, burdened with heavy mortgages, had been obliged to borrow large sums of money at high interest in order to again begin operations. Industrial conditions were just beginning to show signs of revival. If the planters failed to sell this crop at a profit, they would be unable to meet their obligations, their laborers would receive no pay and disturbances would ensue. Political stability and sound order, it was claimed, were not to be expected unless there² was industrial prosperity.

Another argument set forth was the great gain which would accrue to American exporters as a result of the increased trade. Cuba's principal products were sugar and tobacco. She was obliged to import clothing, foods, building materials and machinery of all kinds. With these and many other needs,

1. House Document No.1276, 57th Congress, 1st session.
2. House Document No.535, Vol.108,3. "Hearing on Reciprocity with Cuba". 57th Congress, 1st Session.

Cuba would prove an ideal market for American goods. According to Señor Placé's statement, the Cubans before the war had been sending seven-eighths of their exports to the United States but had been buying only one-third of their imports¹ there. It was contended that such an arrangement would not injure the American sugar growers because the United States consumed about two million five hundred thousand tons of sugar annually. Eight hundred fifty thousand tons were produced in Hawaii, Porto Rico, and the United States. Cuba could supply about the same amount which would necessitate the purchase of eight hundred thousand tons from foreign countries. Under the existing tariff rates, protection would² still be assured to the American sugar growers.

General Leonard Wood was a strong supporter of the reciprocity party. He contended that Cuba was so crippled in means and resources that she would be unable to maintain the sanitary conditions, the school system, hospitals, charities, public works, etc., all established by the Military Government, unless³ profitable trade relations were obtained.

The opposition came forward with a plea for protection to the American sugar growers. Mr. T. O. Oxnard, president of the American Beet Sugar Association, explained that one hundred thirty million dollars was invested in the domestic sugar industry in the United States, - forty factories being scattered over the country. If allowed to develop, the industry would in ten⁴ years' time probably be able to furnish all the sugar needed by this country.

1. House Document No.535, Vol.108, 45. "Hearings on Reciprocity with Cuba", 57th Congress, 1st session.
2. House Report, No.1276, 57th Congress, 1st session.
3. Wood, L. "Reasons for Reciprocity between the United States and Cuba" The Outlook, Vol.70, 169.
4. House Document, No.535, 164, 57th Congress, 1st session.

A reduction in the rates would not benefit the Cuban people, it was claimed, but the profit would be seized by the Sugar Trust. The Trust had large holdings in Cuba and would profit greatly by reciprocal concessions.

The opposition also maintained that if the Brussels Convention went into effect, negotiations about which were then pending, Cuba would need no help from the United States. The stipulations of this Convention provided that after September 1, 1903, the contracting parties, (including every European nation except Russia) should abolish all direct and indirect bounties. This would mean that there would be no such pecuniary inducement for sugar production as had obtained in the past, therefore Cuba would not meet so much competition.¹

Another argument was the unfairness of reciprocity; it was said to be unjust to give one foreign state more advantageous trade relations than were given to all. Consequently, a few Democrats felt that a complete tariff revision was the only solution.² Conservative Republicans feared that tariff concessions or a reciprocity treaty of any kind would set a precedent which would be detrimental to the protective tariff.

The majority of the ways and means committee had seemed to be on the side of the opposition but during February and March there came a change in the attitude of the House leaders, due, no doubt to the clamorous and insistent attitude taken by the public. Republican and Democratic papers and periodicals demanded prompt and favorable action toward Cuba. The expression of public and private opinion, combined with the persistent pressure from the administration

1. "Cuba and Brussels Sugar Conference" Yale Review Vol.11, August 1902, 120-122.
2. House Document No.1276, Part 3, 57th Congress, 1st session.

made plain the path which the Committee was supposed to follow. Accordingly the ways and means committee drafted a compromise measure known as the Payne bill. The two important features provided for in this bill were; a reduction of only twenty per cent on imports from Cuba and a provision that the Cuban Government should enact laws similar to our immigration and labor contract laws in order to prevent the importation of cheap labor into Cuba. A time limit¹ until December 1, 1903, was stipulated as a part of the proposed treaty.

President Roosevelt fully recognized the uncertainty of success even with so small a reduction, so on June 13, 1902, he sent a special message² to Congress urging favorable action. In this message he contended that the granting of reciprocal relations to Cuba was giving practical effect to President McKinley's words in his messages of December 5, 1898 and December 5, 1899 when he wrote - "It is important that our relations with this people, (the Cubans) shall be of the most friendly character and our commercial relations close and reciprocal.....The greatest blessing which can come to Cuba is the restoration of her agricultural and industrial prosperity".

President Roosevelt urged reciprocity giving the following reasons for his attitude. First, the United States was under moral obligation to Cuba. Second, an alleged pledge was given at the time the Dingley act was passed to adopt and put into force reciprocity treaties - owing to the unduly high tariff rates which had been provided for, with the distinct intention of lowering them when it should be practicable to negotiate such agreements. Third, increased commercial advantages would accrue to us in consequence of the compensating

1. House Report No.1276 Part I, 57th Congress, 1st session.

2. Senate Document No.405, 57th Congress, 1st session.

reduction of duty to be made by Cuba. Fourth, political advantages would result from the influence in Cuba probably to be acquired by us in consequence of generosity to the island.

About this time it was discovered that much of the reciprocity literature which had been circulating thruout the country, had been distributed thru the influence of F.B.Thurber who was in the employ of Mr.Havemeyer, president of the sugar trust. It was also learned, by investigation, that General Leonard Wood, military governor of Cuba had aided the cause by the expenditure of fifteen thousand five hundred twenty-six dollars and eighty-two cents from the Cuban Treasury funds. ¹ In defense of his action, General Wood said it was "an expenditure of Cuban funds for the purpose of promoting Cuban interests."

The opposition party made the most of this discovery and the bill was lost.

After the establishment of the government of Cuba, the question of reciprocity was taken up in the usual diplomatic way. Major T.H.Bliss was sent to Cuba in the fall of 1902 for the purpose of negotiating a commercial convention which was signed at Havana December 11, 1902. When the treaty was brot to the Senate of the United States, for ratification, there were still enough representatives of the domestic sugar growers, to intorduce into the document an amendment which provided that 'so long as this convention should continue, the terms should be preferential in respect to all like imports from other countries.'² This would prevent a lowering of tariff rates on sugar imported from other countries.

1. Senate Document No.434, 439. 57th Congress, 1st session.
House Document No.679, 57th Congress, 1st session.
2. House Document No.458, Part 1,107, Article VIII., 58th Congress 2d session. "Reciprocity with Cuba", Willis, H.P. The Annals of American Academy of Political and Social Science Vol.22,139.

Again the treaty failed to pass the Senate and so the President convened a special session of the Senate on March 5, 1903, to consider both the Cuban treaty and the canal treaty with Colombia.¹ The Cuban treaty was ratified with the amendment March 19, 1903, but with the provision that it should be approved by Congress. The House was not in session so the delay was continued until the next autumn. The President ratified the treaty on March 30, as did the representatives of Cuba. Ratifications were exchanged at Washington the following day. To relieve the situation in Cuba, the president called Congress² to meet in extraordinary session November 19, 1903. Here a struggle, as bitter as the one of the previous year was waged. Both parties were divided³ into factions over the issue. At last the bill passed the House November 19, by a vote of 335 to 21. Altho the Senate had ratified the treaty, the bill was returned to that body where it was discussed until the end of this extra session. The regular session began at once and on December 16 the final vote was taken and the following day the treaty was proclaimed.

By the convention, all products imported into the United States from Cuba were to receive a reduction of twenty per cent in tariff rates. In return for this concession we were to receive a reduction of twenty-five per cent on machinery composed of copper or its alloy, manufactures of cast iron or iron and steel, etc. A reduction of thirty per cent was to be made on butter, chemical products, drugs, and certain manufactures while forty per cent reduction was to be granted for manufactured cotton, preserved fruits, paper pulp, wool and⁴ silk.

1. Senate Document No.7, 58th Congress, Special Session.
2. House Document No.1, 58th Congress, 1st session.
3. House Report No.1, part 2, 58th Congress, 1st session.
1 part 3, Congressional Record, Vol.37, Nov. 259-389.
4. House Document No.458, Part 1, 58th Congress, 2d Session.
104-111.

By a comparison with the reciprocity treaty of 1891, it will be seen that many of the manufactures which, under this convention were to receive a reduction of twenty-five per cent were admitted free then, while others, at this time to receive a twenty-five per cent reduction, were admitted then on a fifty per cent reduction.

Our trade with Cuba has increased since that time. Exports from the United States to the island rose from twenty-six million dollars in 1902 to thirty-eight million dollars in 1905; and during the same period exports from Cuba to the United States increased from thirty-four ^{dollars} ₁ million to eighty-six million. This arrangement of a twenty per cent reduction of the tariff ₂ on Cuban sugar was left unchanged by the tariff act of 1909. By the tariff act of 1913 sugar was to be admitted free after an interval of two and one half years. The duty under the acts of 1897 and 1909 had been one and two-thirds cents. The act became a law October 3, 1913, but the first reduction on sugar to one and one-fourth cents a pound, was to go into effect March 1, 1914 and was to continue until May 1, 1916 after which time all sugar was to be ₃ admitted free. However, on account of the Great war and the need of larger ₄ revenues, this part of the tariff act was repealed April 22, 1916.

1. Latané, J.H. America as a World Power. 190.

2. Taussig, F.W. Tariff History of the United States, 6th edition, 399.

3. Ibid. 411- 425.

4. Congressional Record, April 22, 1916. House Bill 11471.

CHAPTER VI.

THE INTERVENTION OF 1906.

The Republic of Cuba, for some time, seemed to have been established on a firm foundation. President Palma was a man of ability and mature judgment. He was a native Cuban, his father having been a wealthy planter. At the outbreak of the Ten Years War, 1868, young Palma was established as a successful lawyer. He joined the insurrection of 1868 and upon the death of General Cespedes became president of the Provisional Government. His father's property was confiscated, it was said, because of his son's participation in the revolt, and his mother was killed by Spanish soldiers. Near the close of the insurrection, General Palma was captured and sent to Spain as a prisoner. He was released at the end of the war in 1878. He then went to Honduras where he became postmaster-general. While there, he married Señorita Guardida, the daughter of the president.

At the time of the outbreak in 1895, the revolutionary government chose him as its foreign representative with his headquarters in New York. After the close of the war with Spain, he returned to his home in Central Valley, New York, where, for some years, he conducted a school for boys. Altho he had not been in Cuba since his capture in 1877, he nevertheless had always kept in close touch with the affairs of the island.

1. Robinson, A. G. "The Outlook for Cuba" The Independent, Vol. 54, 135-136.

Under President Palma's administration, there had been much material progress along many lines, while, at the same time, there had arisen certain conditions which led to disastrous results. When President Palma took over the administration, in 1902, there was Six hundred thousand dollars in the Cuban treasury. In 1906 there was a surplus of Eighteen million dollars. Millions¹ had been spent on roads, buildings, and public works. There had been development of industries and natural resources, which led to an increase of trade with foreign countries. New railroads had been built, the number of schools had been increased, and nearly two hundred million² dollars of foreign capital had been invested in the island. In spite of this prosperity, political conditions became such that the overthrow of the Cuban government seemed imminent. There are many explanations of the causes of the trouble which arose - each party and faction having its own interpretation - so that it is difficult to reach a correct conclusion. Mr. Magoon (Provisional Governor 1906-1909) relates it in this fashion.

"During President Palma's administration, there had been three political parties - the Moderates, the Nationalists, and the Independent Radicals. For more than three years, President Palma declined to affiliate with any of these parties and endeavored to distribute the patronage and governmental benefits equally. The contest between these parties, for political supremacy, became intense. There was an especial effort on the part of each one to control the Cuban Congress and this rivalry made it difficult to secure legislative action, even as to much needed legislation. The constitution required that two-thirds of the members of Congress be present in order to constitute a quorum. No measure

1. Aldama, M.C. (second chief of Customs Division of Cuba) "The Cuban Government's Side", The Independent Vol.61, 663.
2. "The Rebellion in Cuba" The Independent, Vol.61, 528.

for compelling the attendance of the members of Congress had been provided and, therefore, it was easy to prevent a quorum. In order to secure a remedy for this evil, President Palma determined to affiliate with the Moderate party. The Nationals then coalesced with a number of disaffected Moderates and formed the Liberal party, which was also joined by the former Radicals. Upon President Palma's affiliation with the Moderate party, the policy of displacing Liberals from official positions and filling their places with members of the Moderate party was adopted and embittered the opposition to the administration. All the powers of the Executive branch of the Government were utilized to secure the success of the Moderate party in the National, Provincial and Municipal elections and measures were taken of such kind and character as to create a belief in the minds of a large number of electors that the laws had been violated, the constitution subverted, the rights of citizens invaded¹, and the character of the Government changed. This belief led to the revolution and the collapse of the Palma administration."

The liberal party on the other hand, felt that President Palma had been one of their number until early in 1905. His new alliance with the moderates was followed by the resignation of his cabinet, by the selection of a new body of administrators and this in turn by the wholesale removal of officials from the liberal party and the substitution of moderates in their places.² The discontent caused by this action was greatly increased by the results of the presidential election in September 1905, which proved to be an overwhelming defeat for the liberals. The defeated party claimed that Mr. Palma did not hold office by the will of the Cubans. The election, it was contended, presented the spectacle of a

1. Magoon, C.E. Republic of Cuba, Report of Provisional Administration, Vol. 1, 6.
2. Williams, Talcott, "Causes of Cuban Insurrection" The Outlook, vol. 84, 111-114.

political party, containing the majority of voters being intimidated and kept
 away from the polls by the armed followers of Palma.¹ This opinion was supported by the views of many impartial observers who reported that the liberals clearly outnumbered their opponents, but in the preliminary proceedings were temporarily² disfranchised by intimidation and fraud.

After this treatment, the liberals withdrew their candidate, José Miguel, and began to lay plans for an insurrection. Immediately after this election, President Palma proceeded to dismiss the liberals from the offices to which they had been elected.³ That such a condition was possible, was because the laws used by the Cuban government were the codes promulgated by Spain during the period of her rule. There was great need of new laws which would give force to the constitution, but the Cuban Congress had failed to make them. Under the old Spanish laws, the executive had power to remove officials and to fill the vacancies thus made. President Palma, therefore, had exercised this power in the interests of the moderate party.⁴ The liberals claimed that they did not desire control of the offices but wanted only an honest government, one in which the whole people should have a voice. "To the end we demand the retirement of Estrada Palma and the other officers from positions which they hold by fraud and intimidation. That the Liberals, who were honestly elected to office both in the general government and in the municipalities and who were without just cause removed from office by President Palma, shall be restored to the offices to which they were elected and that they be allowed to hold office until the next general election. We demand that a new general election be held at the earliest possible

1. Aguirre, Chas. M. (A leader in Revolutionary party) "A struggle for Cuban Liberty" The Independent, Vol. 61, 664.
2. "Rebellion in Cuba" The Independent, Vol. 61, 528.
3. Aguirre, Chas. M. "A struggle for Cuban Liberty" The Independent Vol. 61, 664.
4. Robinson, A. G. "Causes of Unrest in Cuba" The Independent Vol. 60, 612.

moment, at which the will of the people shall be determined and be given an honest count, we promise faithfully to abide by the result of such election, be it in favor of the Liberal party or otherwise."

The Moderates, of course, upheld the administration proclaiming loudly the beneficial results of President Palma's administration and maintaining that the liberals were the unstable, drifting element of the population.

Following the Spanish-American custom of armed protest, the liberals began an insurrection against the government which again threatened to destroy the industrial and commercial life of the island. The trouble increased to such an extent that the government was unable to cope with it. Great interest was taken by participants and observers alike to see whether or not the United States government would take advantage of the third clause in the Platt amendment and intervene. President Roosevelt did, finally, by means of a letter to the Cuban Minister to the United States, appeal to the Cuban people, asking them to adjust their political differences in a peaceable manner. This, however, was not accomplished and, at last, (Sept. 8, 1906) President Palma realizing that his forces were unable to quell the rebellion or protect life and property, sent word to the United States government, asking that war vessels be sent to Cuba. A few days later, he sent another petition to President Roosevelt asking that two or three thousand men be sent to Cuba with the greatest secrecy and haste.

It was thot better, however, to try to settle the difficulty by peaceful means first, so President Roosevelt sent Wm. H. Taft, secretary of war, and Robert Bacon, assistant secretary of state, to Cuba as a peace commission to

1. Aguirre, Chas.M. "A struggle for Cuban Liberty" The Independent Vol.61, 664.
2. "Cuba and the United States" The Outlook Vol.84,147, Extracts of letter.
3. Magoon, C.E. Report of Provisional Administration, Vol.1, 7.

investigate the situation, restore peace, and re-establish law and order, if possible.¹ After a preliminary investigation, the peace commission offered a compromise plan to the two parties. The plan of the commissioners was as follows:

"First, The resignation of the vice-president, all the Senators and Representatives, Governors and Provincial Councilors elected December, 1905.

"Second, The laying down of arms of the insurgents on the signing of this compromise and the presentation of these resignations.

"Third, The provision by law for a commission to consist of three lawyers, whose names were to be selected b—y the Moderate party, three to be selected by the Liberal party, and one by the President of the United States, for the purpose of drafting laws.

"Fourth, The holding of elections on January 1, 1907 under the provisions of the electoral law drafted by such commission."²

These terms and conditions were embodied in a letter to President Palma and were also submitted to the national committees of the important political parties. President Palma and the moderate party declined to accept the conditions; the independent national party approved of the general plan but desired certain modifications and the liberals accepted the proposals without modification.³

Matters were then brot to a direct crisis by the resignation of all the cabinet officers. This was followed by President Palma and Vice-President Capote offering their resignations to the special session of the Cuban Congress which had been called.⁴ They refused to reconsider their action and so the

1. Magoon, C.E. Report of Provisional Administration. Vol.1, 7.
2. Ibid, 8.
3. Ibid.
4. Ibid, 8. Also "America's Duty to Cuba" The Outlook Vol.84, 304-306.

Congress was urged to meet the difficulty by immediately electing officers to fill the vacancies. This, Congress refused to do and so dissolved. This inaction seemed to imply that the moderate majority would rather accept American intervention than have a liberal made President or have any division of cabinet offices¹ between the two parties.

At this point, the President of the United States appointed Mr. Taft, Provisional Governor of Cuba. Mr. Taft, then, issued a proclamation taking possession of the island under the authority of the United States, with the declared purpose of restoring order, protecting life and property and establishing permanent peace. The proclamation was as follows:

"TO the People of Cuba:

"The failure of Congress to act on the irrevocable resignation of the President of the Republic of Cuba, to elect a successor, leaves this country without a government, at a time when great disorder prevails, and requires that, pursuant to a request of President Palma, the necessary steps be taken in the name and by the authority of the President of the United States to restore order, protect life and property in the island of Cuba and islands and keys adjacent thereto and for this purpose, to establish therein a provisional government.

"The Provisional Government hereby established by the direction and in the name of the President of the United States will be maintained only long enough to restore order, and peace and public confidence, and then to hold such elections as may be necessary to determine those persons upon whom, the permanent government of the Republic should be devolved.

"In so far as is consistent with the nature of a Provisional Government, established under authority of the United States, this will be a Cuban

1. "America's Duty to Cuba" The Outlook Vol. 84, 304-306.

government conforming, as far as may be, to the constitution of Cuba. The Cuban flag will be hoisted as usual over the Government buildings of the island. All the executive departments and the provincial and municipal governments, including that of the city of Havana, will continue to be administered as under the Cuban Republic. The courts will continue to administer justice and all laws not in their nature inapplicable by reason of the temporary and emergent character of the Government, will be enforced.

"President Roosevelt has been most anxious to bring about peace under the constitutional government of Cuba, and has made every endeavor to avoid the present step. Longer delay, however, would be dangerous.

"In view of the resignation of the Cabinet, until further notice, the heads of all departments of the Central Government will report to me for instructions, including Major General Alejandro Rodriguez, in command of the Rural Guard and other regular Government forces, and General Carlos Raloff, Treasurer of Cuba.

"Until further notice, the Civil Governors and Alcaldes will also report to me for instructions.

"I ask all citizens and residents of Cuba to assist in the work of restoring order, tranquillity and public confidence. Havana, Sept. 29, 1906." ¹

Contemporaneously with the establishment of the Provisional Administration, the army of Cuban pacification, consisting of about six thousand men under command of General J. Franklin Bell, U.S.A., was distributed thruout the island. ²

There was no outbreak or public excitement of any kind following the change in administration. It seemed that the moderates preferred intervention to yielding to the liberals, while the liberals considered American intervention

1. Magoon, C.E. Report of the Provisional Administration, Vol.1,5.

2. Ibid. 86.

a defeat of the moderate party. The Provisional Government quietly took possession of the reins of government and with the help of the insurgent leaders arranged for the disarmament of the insurrectionists.¹

The appointment of Mr. Taft as provisional governor was only temporary and on the 6th of October, 1906, President Roosevelt appointed Charles E. Magoon, former governor of the Panama Canal Zone, to be provisional governor of Cuba. Mr. Magoon assumed the duties of his office on October 13, 1906 and the peace commission departed for the United States on the same day.

The peace commission had found that the congressional election of 1905 was so tainted with fraud that one half of the members of the Senate and National Assembly were involved. The elections were declared void so no quorum existed. A decree was then issued suspending the meetings of Congress and providing that the legislative powers should be exercised by the provisional governor.²

The need for new laws in order to make the constitution effective was recognized and an advisory law commission, composed of three Americans, four liberals and four conservatives, was appointed December 24, 1906, to provide for the enactment of four special laws:

1. A municipal law embodying the requirements of the constitution.
2. An electoral law containing sufficient provisions to secure a representation by the minority and providing for the conduct of elections under a nonpartisan bureau of elections having charge of police during the election and registration period, as well as the registration, counting of the votes and declaring the result.

1. "The Provisional Government" The Outlook Vol.84, 341.
 2. Magoon, C.E. Report of the Provisional Administration, Vol.1, 20.

3. A law providing for the reorganization and increased independence of the judiciary.

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4. A civil service law.

A revision of the provincial laws was also to be made by this commission.

It was deemed necessary to take a census of the population for electoral and other purposes, so it was not possible to hold any election until after this work was accomplished. A proclamation fixed September 30, 1907, as the day on which the enumeration should begin and required it to be completed not later than November 14, 1907.

The other work of the provisional government was much the same as that of the Military Government, 1899-1902. Great praise has been given to Mr. Magoon for his work in the island. Criticism, too, is to be found. It was thot that he exercised the pardoning power too freely, having issued eight hundred thirty-three pardons from October 13, 1906, to May 1, 1908. Suggestions of graft, in the use of public funds, have also been made but no definite proof has been found for such accusations.

1. Magoon, C. E. Report of the Provisional Administration, Vol. 1, 21.
2. Ibid. 27.
3. Reports from the various departments and commissions are to be found in Report of Provisional Administration, Magoon, C. E. Vol. 1, 119-557.
4. "The Cuban Evacuation" The Nation Vol. 87, 198, Sept. 3, 1908.
5. "Under Governor Magoon's administration, Cuba incurred a great debt and President Gomez has made things worse still, so that now, there are few who would choose American intervention; having the notion that there would be as much graft under one control as another". The Independent, Vol. 72, 1337, June 13, 1912. "When Governor Magoon and Frank Steinhart assumed charge, there was a surplus of \$23,000,000 in the Cuban treasury and no indebtedness; but when the intervention closed in about eighteen months, the surplus was little more than \$1,000,000 and a bonded indebtedness of over \$50,000,000. Besides this, Steinhart and Magoon owned the trolley franchise for the City of Havana." Wigdill, Walter - "Addition without Division = Revolution" The Independent Vol. 72, 1352.

On December 30, 1907, the advisory commission reported the project of the electoral law which it had drafted. This was printed and made public. After receiving certain suggestions, the commission amended the law somewhat and it was promulgated April 1, 1908. The electoral law was characterized by three distinguishing features:

(1) The system of Permanent electoral boards charged with the conduct of elections.

(2) The system of registration, which is not voluntary but contemplates the keeping by the electoral boards of lists of all persons in Cuba entitled to vote.

(3) The system of proportional representation, according to which the parties are entitled to membership in the bodies to which the system is extended in proportion to the number of votes polled by each party.

The other laws made by the advisory commission were promulgated in due time and put into force. The distinguishing features of the Municipal law was that it represented an attempt to organize the municipal governments in harmony with the Cuban constitution. The provincial law provided for an entire reorganization of the provincial governments and was drafted to accord with the provisions of the new municipal law.

In investigating the judiciary, the advisory commission found that the existing judicial system was the only one compatible with the general legislative system of the Republic so the commission followed the general lines of the existing judicial organization and compiled and adopted the provisions of some of the Spanish laws, as well as laws of the Cuban Congress. Many important modifications were made in the details of the system, especially with reference to the appointment and removal of judicial officers.

The civil service law, in its general plan, followed the lines of the civil service law of the United States.

Besides these, other laws were drafted by the commission such as: law of the executive power, law of armed forces, code of military justice, drainage and irrigation law, telephone law, notarial law, mortgage law, game law¹ and revision of the penal code.

The promulgation of the electoral law was followed by a proclamation of May 25, 1908, calling for the holding of municipal and provincial elections August 1, 1908. From this time, a campaign was carried on under the leadership of the two principal parties, the liberals and the conservatives.² The liberals, however, were divided into two groups which weakened their cause considerably and cost them many offices which were secured by the conservatives. Three of the governors of provinces were conservatives and three were liberals. On the first of October, the newly elected provincial governors and councils, municipal mayors and councils entered upon their offices, and on the same date the new provincial³ and municipal laws were put into effect.

Proclamations for the general election having been issued September 12, 1908, the elections were held November 14, 1908. The liberals had learned a lesson from the previous election, and the factions had united with General José Miguel Gomez as their candidate. General Mario Menocal was the presidential candidate of the conservative party.

Following this election, the electors met on December 24th at the capitals of the several provinces and cast their votes for president and vice-

1. House Document No.1457, 51-69, 60th Congress, 2d session.
2. The Conservative party had been created early in 1907, on the ruins of the old Moderate party and a faction of the Liberals. House Document No.1457,44, 60th Congress, 2d session. Report of Provisional Governor, 1907-1908.
3. Ibid, 47.

president. The liberal party had this time obtained a majority in each one of the provinces, so their candidates, General Gomez and Dr. Alfredo Zayas, received¹ all the electoral votes cast. Pursuant to instructions from President Roosevelt, the Cuban Congress assembled on January 13, 1909, to act on the credentials of the members - elect and formally proclaim the president and vice-president.

January 28, 1909 was the day chosen for the inaugural ceremonies. After the oath of office had been administered to the new president and vice president, the formal ceremony of the transfer from the provisional government to the new officers of the island of Cuba, was accomplished by the reading and² exchange of notes.

Once more the American Government withdrew from the island and Cuba was left to carry on her own government.

1. Magoon, C.E. Supplemental Report Dec. 1, 1908 Jan. 28, 1909, 7.
2. Ibid. For communications see 8-11.

CHAPTER VII.

CUBA TO-DAY.

Since the withdrawal of the American forces in January 1909, the Cubans have succeeded in maintaining their own government. It has not been an easy task and there have been times when intervention by the United States was threatened. Much criticism has been made from time to time, on the condition of Cuban affairs, in fact, many writers claim that Cuba is incapable of self-government. Sidney Brooks, an English writer on Cuba, makes an interesting defense of this point:¹ Speaking of General Wood, he said, "In four brief years, it was impossible to do more than touch the external aspect of things; it was altogether out of General Wood's or any one else's power to alter the spirit of the people and train them in fifty months in the art of self-government. Of all known forms of self-government, that which the Cubans were set to practice is, perhaps, the most delicate. A republic, a written constitution and universal suffrage, these are the political ingredients that the oldest and most mature and experienced of peoples have found it hard to blend into a consistent whole. In the case of Cuba, they were dumped upon a nation that had but barely emerged from four hundred years of political servitude and torpor, a nation of mixed extraction,

1. Brooks, Sydney "Leave Cuba Alone" Harper's Weekly, Vol. 56, 20, April 13, 1912.

with a high percentage of illiteracy and inheriting from its unhappy past a tradition of faction and indiscipline and a profound suspicion of its rulers. Under such circumstances, it is inevitable that the Cuban government should fall far short of perfection, that it should seem full of short-comings. Every year that it continues to exist adds something to its chances of longevity and makes the Cubans realize more clearly the conditions that must be observed, if its life is to be prolonged. The one thing that will infallibly bring about its collapse is the adoption by the American people and the American government of a too rigid and censorious attitude toward the republic they have created. If they judge the Cuban government without reference to the Cuban past, if they dwell persistently on its defects and fail to acknowledge its good points, if they expect from the Cubans an impossible standard of political efficiency and honesty, if they get into the habit of brandishing the threat of intervention, in order to secure the removal of blemishes, then its difficulties will be increased and its collapse will only be a matter of time."

The Gomez administration had undertaken to carry on the work which the American Government had begun. The same complaint was made, however, that more attention was paid to the problems of material development and to the undertakings promoted by foreign capitalists, than to the economic needs. Some of the achievements to the credit of this administration were: Expansion of Cuban trade, three hundred miles of wagon roads, bridges and harbors, extended system of telegraphs, telephones, and improved postal service, beginning of system to¹ furnish cities with a pure and adequate water supply.

There was dissatisfaction with the administration by some parties who claimed that such enormous frauds had been perpetrated by officials, that

1. Brooks, Sydney "Leave Cuba Alone" Harper's Weekly, Vol. 56, 20, April 13, 1912.

the government was near bankruptcy. The first serious outbreaks were by the negroes who declared that their race had furnished eighty-five per cent of the Cuban revolutionary army (1895-1898) but had since been ignored politically in every way.¹ Estenóz, the leader of the movement together with others, was arrested on April 22, 1910. His defense was so strong that he regained his liberty and again took up his campaign thru which he hoped to make Cuba a black republic. He was again threatened with arrest, but by the aid of some conservatives,² managed to retain his liberty.

In 1911, a new element was added to the situation by the organization of the veteran's association. The principal demand of this body was the discharge from government service of all office-holders who had sympathized with Spain during the revolution of 1895-1898. President Gomez, at first, refused this demand and the veterans threatened to march thru the island and lynch the obnoxious civil servants.³ In order to bring about an era of good feeling, President Gomez had appointed many Spaniards to office, two having been given cabinet positions. These officers finally gave up their places but the veterans, not content with their success, prepared to make their control permanent by attempting to establish an agreement with the rural guards and the regular army.⁴ Our minister to Cuba, Mr. Beaupre, had been watching the course of events very closely and shortly after the first of January, 1912, reported to the state department at Washington that many officers had attended and taken part in the veterans' meetings in defiance of a decree issued by President Gomez. The

1. The Outlook, "The Insurrection in Cuba", Vol.101, 238, June 1, 1912.
2. "Political Situation in Cuba" The Review of Reviews, Vol.46, 45-46, July 1912.
3. Lindsay, Forbes "Curbing Cuba" The Independent, Vol.72, 185-186.
4. The Literary Digest "Another Warning to Cuba " Vol.44 146-7 January 27, 1912.

situation was regarded by the state department as most serious and on January 16, 1912, President Taft had Secretary Knox send the following note to the Cuban government:

"The situation in Cuba, as now reported, causes grave concern to the Government of the United States. That the laws intended to safeguard free republican government shall be enforced and not defied is obviously essential to the maintenance of the law, order and stability indispensable to the status of the Republic of Cuba, in the continued well-being of which, the United States has always evinced and cannot escape a vital interest. The President of the United States looks to the President and Government of Cuba to prevent a threatened situation, which would compel the Government of the United States much against its desires to consider what measures it must take in pursuance of the obligations¹ of its relations to Cuba."

The official reply of President Gomez was as follows:

"Undoubtedly the news from Cuba has been greatly exaggerated. This has caused the friendly note from the American Government. I depend upon the patriotism of the Cuban people, who will not forget their duty. I am certain that the Veterans will listen to my advice and in all events, I have sufficient² means at my command to maintain order and enforce the law."

The United States government sent a force of six hundred marines to the island, not for the purpose of occupying Cuban territory but to be held at our naval station at Guantanamo where they would be available in case of³ disturbance.

1. "A warning note to Cuba" The Independent, Vol. 72, 170-171, January 25, 1912.
2. "Another warning to Cuba" The Literary Digest Vol. 44, 146-147 January 27, 1912.
3. "The Insurrection in Cuba" The Outlook Vol. 101, 238, June 1, 1912.

1912 was the year for the national elections, so these insurrectionary troubles only served to increase the excitement and complications of the campaign. The conservatives again selected General Menocal for their candidate, while the liberals were divided into three factions. The American note created considerable consternation in the island for American intervention was not desired. The first effect of the note was to unite two of the liberal factions. Gomez and Zayas were then chosen the candidates of this group. An agreement was signed between the government and the veterans on January 20, 1912.

Much inquiry has been made as to the fundamental cause for the intermittent disturbances in Cuba, because she, apparently, became more prosperous each year. Economic conditions seem to have been at the root of the trouble. The bulk of Cuba's revenue was derived from duties on imports which amounted annually to twelve dollars per capita. Three-fourths of this burden was imposed on necessities, - food stuffs and wearing apparel. The consumer, of course, ultimately paid this tax and naturally it fell most heavily on the poor classes. Another important feature was that foreigners owned eighty-five per cent of all¹ the property in the island, leaving the Cuban dependent.

The campaign of 1912 continued with great interest and excitement and in December, the conservative party was victorious, General Menocal being elected President. He was well qualified to understand the needs of his country, having been a civil engineer and an agricultural expert in addition to being a soldier. He had received most of his education in the United States, having graduated from Maryland Agricultural College in 1884, and from Cornell University² four years later.

1. Lindsay, Forbes "What is the Trouble with Cuba?" Harper's Weekly Vol. 56, February 3, 1912.
2. "Menocal's Task in Cuba" The Literary Digest Vol. 46, 1261.

His administration has been characterized by continued progress and reform. An attempt was made in 1913 for downward revision of the tariff on the necessities of life. A revision of their tariff, or free trade, with our country would doubtless quell all talk of annexation to the United States, for all agitation along this line had its root in the desire to get inside of the American tariff wall.

Cuba still faces many problems, some of which the United States has bequeathed to her. By law, Cuba has been forced to recognize our superiority in her government. By law, she has been forced to recognize absentee ownership and concessions which have resulted in what might be called a Cuba for Americans, rather than, Cuba for the Cubans. There are many, who firmly believe that annexation is the logical result of our policies and the only solution of the Cuban problem and that it is but a matter of time until such a relation is consummated. If such a condition is realized, it will be a result of that economic dependence for which the United States is largely responsible and which she has assiduously cultivated. The United States did not keep its resolution "disclaiming any disposition or intention to exercise sovereignty, or control over said island except for pacification thereof." To be sure, American intervention and occupation have brot many benefits to the island. Perhaps the advantageous results overbalance the disadvantageous ones. At all events Cuba has made progress under the conditions which now obtain.

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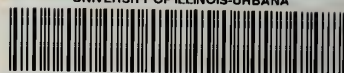
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